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STATUTORY INSTRUMENTS

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**2023 No. 957**

**The Windsor Framework (Plant Health) Regulations 2023**

**PART 1**

Introductory

**Citation, commencement and extent**

1.—(1) These Regulations may be cited as the Windsor Framework (Plant Health) Regulations 2023.

- (2) These Regulations come into force on 1st October 2023.
- (3) Part 1 extends to England and Wales, Scotland and Northern Ireland.
- (4) Parts 2 and 3 of these Regulations extend to England and Wales, and Scotland.
- (5) Part 4 of these Regulations extends to Northern Ireland.

**Interpretation**

2. For the purposes of these Regulations—

“the EU Plant Health Regulation” means [Regulation \(EU\) 2016/2031](#) of the European Parliament and of the Council on protective measures against pests of plants<sup>(1)</sup>;

“the UK Plant Health Regulation” means [Regulation \(EU\) 2016/2031](#) of the European Parliament and of the Council on protective measures against pests of plants<sup>(2)</sup>;

“the Official Controls Regulation” means [Regulation \(EU\) 2017/625](#) of the European Parliament and of the Council on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products<sup>(3)</sup>;

“the SPS Regulation” means [Regulation \(EU\) 2023/1231](#) of the European Parliament and of the Council of 14 June 2023 on specific rules relating to the entry into Northern Ireland from other parts of the United Kingdom of certain consignments of retail goods, plants for planting, seed potatoes, machinery and certain vehicles operated for agricultural or forestry purposes, as well as non-commercial movements of certain pet animals into Northern Ireland<sup>(4)</sup>;

“authorised operator” means a registered operator authorised to issue Northern Ireland plant health labels in accordance with regulation 10(4)(a);

“competent authority” means—

- (a) in relation to England, the Secretary of State;
- (b) in relation to Scotland, the Scottish Ministers;

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(1) OJ No. L 317, 23.11.2016, p.4, as last amended by [Regulation \(EU\) 2017/625](#) of the European Parliament and of the Council (OJ No. L 95, 7.4.2017, p.1).

(2) EUR 2016/2031, as amended by [S.I. 2020/1482](#), [S.I. 2021/79](#), [S.I. 2021/426](#), [S.I. 2022/1315](#) and [S.I. 2022/1367](#)

(3) EUR 2017/625. Relevant amendments were made by [S.I. 2020/1481](#), [S.I. 2021/809](#), [S.S.I. 2021/342](#), [S.I. 2022/1315](#).

(4) OJ No. L 165, 29.6.2023, p.103.

- (c) in relation to Wales, the Welsh Ministers;
- “consignment” has the meaning given in Article 2(1) of the SPS Regulation;
- “Northern Ireland plant health label” has the meaning given to “plant health label” in Article 2(22) of the SPS Regulation;
- “other objects” means machinery and vehicles which have been operated for agricultural or forestry purposes;
- “plants and other objects” means—
  - (d) plants for planting;
  - (e) seed potatoes;
  - (f) machinery and vehicles which have been operated for agricultural or forestry purposes;
- “plants for planting” has the meaning given in Article 2 of the EU Plant Health Regulation but excludes seed potatoes;
- “professional operator” has the meaning given in Article 2(9) of the UK Plant Health Regulation, except in relation to a professional operator located in Northern Ireland for the purposes of regulation 18(3), where it has the meaning given in Article 2(9) of the EU Plant Health Regulation;
- “registered operator” means a professional operator registered in accordance with Part 2;
- “seed potatoes” has the meaning given in Article 2(23) of the SPS Regulation;
- “third country” means any country or territory outside the British Islands;
- “trade unit” has the meaning given in Article 2 of the EU Plant Health Regulation;