
STATUTORY INSTRUMENTS

2023 No. 957

The Windsor Framework (Plant Health) Regulations 2023

PART 2

Registration of professional operators

Application of this Part

3. This Part provides for the registration of professional operators for the purposes of authorisation in relation to certain activities, in accordance with Part 3.

Official register of professional operators

4.—(1) The competent authorities must keep and update an official register containing details of professional operators operating in Great Britain who—

- (a) dispatch plants and other objects from Great Britain to Northern Ireland, with a Northern Ireland plant health label;
- (b) are authorised to issue Northern Ireland plant health labels in accordance with regulation 10 (authorisation);
- (c) are authorised to receive and use Northern Ireland plant health labels in accordance with regulation 10.

(2) The official register must contain—

- (a) the information and statements set out in regulation 5(2)(a), (b) and (d) and, where applicable, the information set out in regulation 10(3); and
- (b) the official registration number for the professional operator.

(3) The competent authorities must ensure that a professional operator is registered only once.

(4) Where applicable, the official register must specify each of the different premises referred to in regulation 5(2)(d) (procedure of registration).

(5) Where a professional operator is authorised under regulation 10(4) (authorisation), the official register must also contain—

- (a) an indication of the activity referred to regulation 5(2)(c) for which the professional operator is authorised;
- (b) details of the specific plants for planting or other objects concerned by that activity.

Procedure for registration

5.—(1) A professional operator falling within the scope of regulation 4(1) must submit an application to the competent authority for registration.

(2) The application for registration must include—

- (a) the name, address in Great Britain and contact details of the professional operator;

- (b) a statement concerning the intention of the professional operator to exercise the activity referred to in regulation 4(1)(a);
 - (c) a statement concerning the intention of the professional operator to, where applicable, carry out the issuing of Northern Ireland plant health labels for plants for planting and other objects pursuant to regulation 9(1) (issuance of Northern Ireland plant health labels);
 - (d) the address of the premises and, where applicable, the location of land plots used by the professional operator to—
 - (i) issue Northern Ireland plant health labels; or
 - (ii) grow seed potatoes for which Northern Ireland plant health labels may be issued by a competent authority.
- (3) The competent authority must register a professional operator without delay where the application for registration contains the information and statements set out in paragraph (2).
- (4) A professional operator who is registered under Article 65(1) of the UK Plant Health Regulation does not need to include in their application for registration any information referred to in paragraph (2) where—
- (a) they have provided the information to the competent authority for the purposes of Article 65; and
 - (b) that information remains correct.
- (5) A registered operator must, where relevant, submit annually an update concerning any change in the data referred to in paragraph (2)(d) and, where applicable, in regulation 10(3), or the statements referred to in paragraph (2)(b) and (c). That submission must take place by 30 April of each year with regard to the updating of the data of the preceding year.
- (6) An application for updating the data referred to in paragraph (2)(a) must be submitted no later than 30 days after the change in those data. Where paragraph (4) applies, a relevant application submitted under Article 66(5) of the UK Plant Health Regulation is deemed to constitute an application for the purposes of this paragraph.
- (7) Where the competent authority becomes aware that—
- (a) a registered operator no longer carries out the activities referred to in regulation 4(1), or
 - (b) any of the statements or information submitted by that operator in accordance with regulation 5(2) or, where applicable, regulation 10(3), is no longer correct,
- the competent authority must request the registered operator to correct the statements and information submitted by the operator, without delay or within a specified period of time.
- (8) Where the registered operator does not correct the statements or information referred to in paragraph (7) within the period of time set by the competent authority, the competent authority must, as appropriate, amend or revoke the registration of that operator.

Applications for registration

- 6.** An application for registration pursuant to regulation 5(1) must be submitted in the manner and form required by the competent authority.