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STATUTORY RULES OF NORTHERN IRELAND

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**1996 No. 249**

**Plant Health (Amendment No. 2) Order (Northern Ireland) 1996**

**Citation and commencement**

1. This Order may be cited as the Plant Health (Amendment No. 2) Order (Northern Ireland) 1996 and shall come into operation on 29th July 1996.

**Amendment of the Plant Health Order (Northern Ireland) 1993**

2. The Plant Health Order (Northern Ireland) 1993(1) shall be amended in accordance with Articles 3 to 10.

3. In Article 5, for paragraph (4) there shall be substituted—

“(4) A person shall not without the authority of the Department or an inspector engage in any activity which involves genetic modification of a pest or engage in any activity which to his knowledge involves genetically modified pests.”.

4. In Schedule 1, Part B(2), Section B for the entry in column (3) opposite Item 1 there shall be substituted—

“Denmark

Finland

France (Brittany)

Ireland

Portugal (Azores)

Sweden

United Kingdom”.

5. In Schedule 2, Part B(3),

- (a) for Section A there shall be substituted the Section set out in the Schedule;
- (b) in Section B in the entry in column (4) opposite Item 1 there shall be deleted “Italy”;
- (c) in Section C Item 4 shall be deleted.

6. In Schedule 3, Part B—

- (a) for the entry in column (3) opposite Item 1 there shall be substituted—

“Austria

Finland

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(1) S.R. 1993 No. 256; the relevant amending instruments are S.R. 1995 No. 250, S.R. 1995 No. 494 and S.R. 1996 No. 204

(2) See S.R. 1995 No. 494 Schedule 1

(3) See S.R. 1995 No. 494 Schedule 2

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*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

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France (Champagne-Ardenne, Alsace — except department of Bas-Rhin, Lorraine, Franche-Comté, Rhône-Alpes — except department of Rhône, Bourgogne, Auvergne — except department of Puy de Dome, Provence-Alpes-Côte d'Azur, Corse, Languedoc-Roussillon)

Ireland

Italy

Portugal

Spain

United Kingdom (Northern Ireland, the Isle of Man and the Channel Islands).”;

(b) Items 2 and 3 shall be deleted.

7. In Schedule 4, Part B(4)—

(a) for the entries in columns (2) and (4) opposite Item 1 there shall be respectively substituted—

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“Plants of <i>Abies</i> Mill., <i>Larix</i> Mill., <i>Picea</i>	Ireland
A. Dietr., <i>Pinus</i> L. and <i>Pseudotsuga</i> Carr.,	United Kingdom(5).”;
over 3m. in height, other than fruit and	
seeds.	

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(b) for the entries in columns (2) and (4) opposite Item 2 there shall be respectively substituted—

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“Plants of <i>Abies</i> Mill., <i>Larix</i> Mill., <i>Picea</i>	Greece
A. Dietr., and <i>Pinus</i> L., over 3m. in height,	
other than fruit and seeds.	Ireland
	United Kingdom.”;

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(c) for the entries in columns (2) and (4) opposite Item 3 there shall be respectively substituted—

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(4) See S.R. 1995 No. 494 Schedule 3 and S.R. 1996 No. 204 Article 7

(5) Scotland, Northern Ireland, England: the following counties: Bedfordshire, Berkshire, Buckinghamshire, Cambridgeshire, Cleveland, Cornwall, Cumbria, Devon, Dorset, Durham, East Sussex, Essex, Greater London, Hampshire, Hertfordshire, Humberside, Kent, Lincolnshire, Norfolk, Northamptonshire, Northumberland, Nottinghamshire, Oxfordshire, Somerset, South Yorkshire, Suffolk, Surrey, Tyne and Wear, West Sussex, West Yorkshire, the Isle of Wight, the Isle of Man, Jersey, the Isles of Scilly and the following parts of counties; AVON: that part of the county which lies to the south of the southern boundary of the M4 motorway; CHESHIRE: that part of the county which lies to the east of the eastern boundary of the Peak District National Park together with that part of the county which lies to the north of the northern boundary of the A52(T) road; GLOUCESTERSHIRE: that part of the county which lies to the east of the eastern boundary of the Fosse Way Roman road; GREATER MANCHESTER: that part of the county which lies to the east of the eastern boundary of the Peak District National Park; LEICESTERSHIRE: that part of the county which lies to the east of the eastern boundary of the Fosse Way Roman road together with that part of the county which lies to the east of the eastern boundary of the B411A road together with that part of the county which lies to the east of the eastern boundary of the M1 motorway; NORTH YORKSHIRE: the whole county except that part of the county which comprises the district of Craven; STAFFORDSHIRE: that part of the county which lies to the east of the eastern boundary of the A52(T) road; WARWICKSHIRE: that part of the county which lies to the east of the eastern boundary of the Fosse Way Roman road; WILTSHIRE: that part of the county which lies to the south of the southern boundary of the M4 motorway to the intersection of the M4 motorway and the Fosse Way Roman road, and that part of the county which lies to the east of the eastern boundary of the Fosse Way Roman road

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“Plants of <i>Abies</i> Mill., <i>Larix</i> Mill., <i>Picea</i> A. Dietr., <i>Pinus</i> L. and <i>Pseudotsuga</i> Carr., over 3m. in height, other than fruit and seeds.	Ireland United Kingdom.”;
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- (d) for the entries in columns (2) and (4) opposite Item 4 there shall be respectively substituted—

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“Plants of <i>Abies</i> Mill., <i>Larix</i> Mill., <i>Picea</i> A. Dietr., <i>Pinus</i> L., over 3m. in height, other than fruit and seeds.	France (Corsica) Greece  Ireland  United Kingdom.”;
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- (e) for the entries in columns (2) and (4) opposite Item 5 there shall be respectively substituted—

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“Plants of <i>Abies</i> Mill., <i>Larix</i> Mill., <i>Picea</i> A. Dietr., <i>Pinus</i> L. and <i>Pseudotsuga</i> Carr., over 3m. in height, other than fruit and seeds.	Greece Ireland  United Kingdom (Northern Ireland and the Isle of Man).”;
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- (f) for the entry in column (2) opposite Item 6 there shall be substituted—

“Plants of *Abies* Mill., *Larix* Mill., *Picea* A. Dietr. and *Pinus* L., over 3m. in height, other than fruit and seeds.”;

- (g) for the entry in column (2) opposite Item 7 there shall be substituted—

“Plants of *Abies* Mill., *Larix* Mill., *Picea* A. Dietr. and *Pinus* L., other than fruit and seeds.”;

- (h) in the entries in column (4) opposite Items 13, 14, 16, 17, 19, 20, 21, 22, 22A and 25 there shall be inserted in alphabetical order

“France (Brittany).”;

- (i) after Item 23 there shall be inserted the following new Item—

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“23A Seeds of <i>Gossypium</i> spp.	Official statement that the seed has been acid delinted.	Greece  Spain (Andalucia, Catalonia, Extremadura, Murcia, Valencia).”;
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- (j) for the entry in column (4) opposite Item 24 there shall be substituted—

“Portugal (Alentejo, Algarve and Madeira)  
Spain (Granada and Malaga).”.

**8.** In Schedule 5—

- (a) in Part A Section II—

- (i) for paragraph 1(a) there shall be substituted—
    - “(a) plants of *Abies* Mill., *Larix* Mill., *Picea* A. Dietr., *Pinus* L. and *Pseudotsuga* Carr.”;
  - (ii) in paragraph 1(c) the words “*Persea americana* P. Mill.” shall be deleted;
  - (iii) for paragraph 1(i) there shall be substituted—
    - “fruit (bolls) of *Gossypium* spp. and unginned cotton.”;
  - (iv) paragraph 2(a) shall be deleted and paragraph 2(b) shall be renumbered “2(a)”;
  - (b) in Part B Section II—
    - (i) for paragraph 6 there shall be substituted—
      - “Seeds and fruit (bolls) of *Gossypium* spp. and unginned cotton.”;
    - (ii) for paragraph 7 there shall be substituted—
      - “7. Parts of plants of *Eucalyptus* L'Hérit.”.
9. In Schedule 8(6)—
- (a) in Part A—
    - (i) for the entry in column (3) opposite Item 1 there shall be substituted—
      - “Greece
      - Spain (Andalucia, Catalonia, Extremadura, Murcia, Valencia)”;
    - (ii) for the entries in column (3) opposite Items 4, 7, 8 and 9 there shall be respectively deleted the word “Spain”;
    - (iii) in the entry in column (3) opposite Item 11 there shall be deleted the words “Greece, Spain”;
    - (iv) for the entry in column (3) opposite Item 15 there shall be substituted—
      - “Portugal (Alentejo, Algarve and Madeira)
      - Spain (Granada and Malaga)”;
    - (v) Item 17 shall be deleted;
  - (b) in Part B—
    - (i) in the entry in column (3) opposite Item 1 the word “Italy” shall be deleted;
    - (ii) Item 3 shall be deleted;
  - (c) in Part C, Items 4 and 5 shall be deleted;
  - (d) in Part D—
    - (i) in the entry in column (3) opposite Item 1 there shall be inserted in alphabetical order “France (Brittany)”;
    - (ii) Item 3 shall be deleted.
10. In Schedule 14(7) at the end there shall be added the following—

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“Commission Directive <a href="#">96/14/EC</a>	O.J. No. L.68, 19.3.96, p. 24.
Commission Directive <a href="#">96/15/EC</a>	O.J. No. L.70, 20.3.96, p. 35.”

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(6) See S.R. 1995 No. 494 Schedule 4 and S.R. 1996 No. 204 Article 9

(7) See S.R. 1995 No. 250 Schedule 3 and S.R. 1996 No. 204 Article 10

Sealed with the Official Seal of the Department of Agriculture on

L.S.

25th June 1996.

*L. G. McKibben*  
Assistant Secretary