
STATUTORY RULES OF NORTHERN IRELAND

1998 No. 16

PLANT HEALTH

The Plant Health (Amendment) Order (Northern Ireland) 1998

Made - - - - - *26th January 1998*

Coming into operation *2nd March 1998*

The Department of Agriculture, in exercise of the powers conferred on it by sections 2(1), and 3(1)(2), 3A(3), 3B(1)(4) and 4(1)(5) of the Plant Health Act (Northern Ireland) 1967(6) and of all powers enabling it in that behalf, hereby make the following Order:

Citation and commencement

1. This Order may be cited as the Plant Health (Amendment) Order (Northern Ireland) 1998 and shall come into operation on 2nd March 1998.

Amendment of the Plant Health Order (Northern Ireland) 1993

2.—(1) The Plant Health Order (Northern Ireland) 1993(7) shall be amended in accordance with paragraphs (2) and (3).

(2) In Article 3(1) (Interpretation) for the term “Directive 95/44/EC” there shall be substituted the following—

““Directive 95/44/EC” means Commission Directive 95/44/EC(8) establishing the conditions under which certain harmful organisms, plants, plant products and other objects listed in Annexes I to V to Council Directive 77/93/EEC may be introduced into or moved within the Community or certain protected zones thereof, for trial or scientific purposes and for work on varietal selections, as amended by Commission Directive 97/46/EC(9);”.

(3) In Schedule 14 there shall be added at the end—

(1) As amended by S.R. & O. (N.I.) 1972 No. 351 Art. 3 and Sch. 2; 1979 c. 2, s. 177(1) and Sch. 4 Pt.II; and S.I.1984/702 (N.I. 2) Art. 15(2)

(2) As amended by S.R. & O. (N.I.) 1972 No. 351 Art. 3 and Sch. 2

(3) Inserted by S.I. 1975/1038 (N.I. 8) Art. 11(2)

(4) Inserted by S.I. 1984/702 (N.I. 2) Art. 15(2)

(5) As amended by S.I. 1984/702 (N.I. 2) Art. 15(2)

(6) 1967 c. 28 (N.I.)

(7) S.R. 1993 No. 256; amended by S.R. 1995 No. 250, S.R. 1995 No. 494, S.R. 1996 No. 204, S.R. 1996 No. 249, S.R. 1997 No. 110 and S.R. 1997 No. 397

(8) O.J. No. L.184, 3.8.95, p. 34

(9) O.J. No. L.204, 31.7.97, p. 43

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“Council Directive [97/3/EC](#)

O.J. No. L.27, 30.1.97, p. 30.

Commission Directive [97/46/EC](#)

O.J. No. L.204, 31.7.97, p. 43.”

Sealed with the Official Seal of the Department of Agriculture on

26th January 1998.

R. S. Johnston
Assistant Secretary

EXPLANATORY NOTE

(This note is not part of the Order.)

This Order which comes into operation on 2nd March 1998, further amends the Plant Health Order (Northern Ireland) 1993 (“the 1993 Order”). This includes Commission Directive [95/44/EC](#), which lays down rules for the import of material, for trial or scientific purposes and for work on varietal selections, which would otherwise be banned. This Directive has now been amended by Commission Directive [97/46/EC](#) to incorporate provisions on potato breeding material which were previously included in a separate, temporary, Commission Decision. The effect of the change is to convert the temporary arrangements into a permanent part of the regime. (Article 2(2)).

The Order also updates Schedule 14 to the 1993 Order (Instruments amending and supplementing Council Directive [77/93/EEC](#)) (Article 2(3)).