

STATUTORY RULES OF NORTHERN IRELAND

**2019 No. 230**

**PLANT HEALTH**

**The Plant Health (Official Controls and Miscellaneous Provisions) Regulations (Northern Ireland) 2019**

*Made - - - - 13th December 2019*

*Coming into operation 14th December 2019*

<sup>F1</sup>The Department of Agriculture, Environment and Rural Affairs is a Northern Ireland department designated <sup>M1</sup> for the purposes of section 2(2) of the European Communities Act 1972 <sup>M2</sup> in relation to the common agricultural policy of the European Union.

The Department of Agriculture, Environment and Rural Affairs <sup>M3</sup> makes these Regulations in exercise of the powers conferred by sections 2, 3(1), 3A and 3B(1) of the Plant Health Act (Northern Ireland) 1967 <sup>M4</sup> and section 2(2) of, and Paragraph 1A of Schedule 2 to, the European Communities Act 1972 <sup>M5</sup>.

These Regulations make provision for a purpose mentioned in section 2(2) of the European Communities Act 1972 and it appears expedient to the Department of Agriculture, Environment and Rural Affairs for the references to Commission Implementing Regulation (EU) 2019/2072 establishing uniform conditions for the implementation of Regulation (EU) 2016/2031 of the European Parliament and of the Council, as regards protective measures against pests of plants and repealing Commission Regulation (EC) No 690/2008 and amending Commission Implementing Regulation (EU) 2018/2019 (referred to in these Regulations as “the Phytosanitary Conditions Regulation”) and to the European Union instruments mentioned in regulation 3(1) to be construed as references to those instruments as amended from time to time.

**F1** Regulations revoked (except regs. 49, 50, Sch. 5 paras. 1(1)(3), 2(1)-(6), 5(1)(3)-(5), Sch. 6) (23.12.2020) by [The Plant Health \(Official Controls and Miscellaneous Provisions\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/293\)](#), regs. 1, **55(1)(d)** (with reg. 55(2)-(4))

**Marginal Citations**

**M1** [S.I. 2000/2812](#).

**M2** 1972 c. 68, [section 2\(2\)](#) was amended by section 27(1)(a) of the [Legislative and Regulatory Reform Act 2006 \(c. 5\)](#) and by section 3 of, and Part 1 of the Schedule to, the [European Union \(Amendment\) Act 2008 \(c. 7\)](#). The Act is prospectively repealed by the [European Union \(Withdrawal\) Act 2018 \(c. 16\)](#) section 1 from exit day (see [section 20](#) of that Act).

**M3** The Ministry of Agriculture became known as the Department of Agriculture by virtue of section 7(5) of the Northern Ireland Constitution Act (c. 36), was renamed the Department of Agriculture and Rural

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**Changes to legislation:** There are currently no known outstanding effects for the *The Plant Health (Official Controls and Miscellaneous Provisions) Regulations (Northern Ireland) 2019, Introductory Text.* (See end of Document for details)

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Development by Article 3(4) of the Departments (Northern Ireland) Order 1999 (S.I. 1999/283 (N.I. 1)) and was renamed the Department of Agriculture, Environment and Rural Affairs by section 1 of the Departments Act (Northern Ireland) 2016 (c. 5 (N.I.)).

- M4** 1967 c. 28 (N.I.): sections 2(1) and 3(1) were amended by S.R. & O (N.I.) 1972 No. 351, **article 3** and Schedule 2. Section 2(2) was amended by 1979 c. 2 section 177(1) and Schedule 4, Part 11. Sections 2 and 3 were also amended by S.I. 1984/702 (N.I. 2), **Articles 15(2), 24** and Schedule.
- M5** Paragraph 1A of Schedule 2 was inserted by section 28 of the Legislative and Regulatory Reform Act 2006 (c. 51) and amended by section 3, and Part 1 of the Schedule to the European Union (Amendment) Act 2008 (c. 7).

**Changes to legislation:**

There are currently no known outstanding effects for the The Plant Health (Official Controls and Miscellaneous Provisions) Regulations (Northern Ireland) 2019, Introductory Text.