
STATUTORY RULES OF NORTHERN IRELAND

2019 No. 41

**PLANT HEALTH
SEEDS**

**The Plant Health and Seeds (Miscellaneous
Amendments) Regulations (Northern Ireland) 2019**

Made - - - - 6th March 2019

Coming into operation 28th March 2019

The Department of Agriculture, Environment and Rural Affairs ^{M1}, in exercise of the powers conferred by section 2(2) of and paragraph 1A of Schedule 2 to the European Communities Act 1972 ^{M2}, makes the following Regulations.

These Regulations make provision for a purpose mentioned in section 2(2) of that Act and it appears to the Department that it is expedient for references to the instruments specified in regulations 2 to 7 to be construed as references to those instruments as amended from time to time.

The Department of Agriculture, Environment and Rural Affairs is designated for the purposes of section 2(2) of the European Communities Act 1972 in relation to the common agricultural policy of the European Union ^{M3}.

Marginal Citations

- M1** Formerly the Department of Agriculture and Rural Development (DARD) (see [Article 3\(4\)](#) of the Departments (Northern Ireland) Order 1999 (S.I. 1999/283 (N.I.1)). DARD was renamed the Department of Agriculture, Environment and Rural Affairs by Article 1(2) of the Departments Act (Northern Ireland) 2016 (2016 c.5 (N.I.))
- M2** 1972 c. 68; [section 2\(2\)](#) was amended by section 27(1)(a) of the [Legislative and Regulatory Reform Act 2006 \(c. 51\)](#) (the 2006 Act) and by Part 1 of Schedule 1 to the [European Union \(Amendment\) Act 2008 \(c. 7\)](#) (the 2008 Act). Paragraph 1A of Schedule 2 was inserted by section 28 of the 2006 Act and by Part 1 of Schedule 1 to the 2008 Act.
- M3** [S.I. 2000/2812](#)

PART 1

Introduction

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Plant Health and Seeds (Miscellaneous Amendments) Regulations (Northern Ireland) 2019 and come into operation on 28th March 2019.

(2) The Interpretation Act (Northern Ireland) 1954 ^{M4} applies to these Regulations as it applies to an Act of the Assembly.

Marginal Citations

M4 1954 c. 33 (N.I.)

PART 2

Amendment of the Seed Potatoes Regulations

Amendment of the Seed Potatoes Regulations (Northern Ireland) 2016

2.—(1) The Seed Potatoes Regulations (Northern Ireland) 2016 ^{M5} are amended as follows.

(2) In regulation 2(1) (interpretation general), in the definition of—

- (a) “Commission Decision [2004/842/EC](#)” at the end insert “ as amended from time to time ”;
- (b) “Commission Directive [2008/62/EC](#)” at the end insert “ as amended from time to time ”;
- (c) “Council Directive [2002/53/EC](#)” at the end insert “ as amended from time to time ”;
- (d) “Council Directive [2002/56/EC](#)” at the end insert “ as amended from time to time ”;
- (e) “Directive [2001/18/EC](#)” at the end insert “ as last amended by Commission Directive (EU) 2018/350 ^{M6} ”;
- (f) “Directive 2014/20/EU” at the end insert “ as amended from time to time ”;
- (g) “Regulation 1829/2003” at the end insert “ as amended from time to time ”.

Marginal Citations

M5 S.R. 2016 No. 190

M6 OJ No L 67, 09.03.18, p. 30

PART 3

Amendment of the Marketing of Plant Material Regulations

The Marketing of Vegetable Plant Material Regulations (Northern Ireland) 1995

3.—(1) The Marketing of Vegetable Plant Material Regulations (Northern Ireland) 1995 ^{M7} are amended as follows.

- (2) In regulation 2(2) (interpretation)—
- (a) omit the definition of “Directive 92/33/EEC”;
 - (b) in the definition of “Directive 93/61/EEC” for “Directive 92/33/EEC” substitute “ Directive 2008/72/EC ”;
 - (c) after the definition of “Directive 93/61/EEC”, insert—
““Directive 2008/72/EC” means Council Directive 2008/72/EC of 15th July 2008 ^{M8} on the marketing of vegetable propagating and planting material, other than seed, as amended from time to time;”;
- (3) In regulation 3(1)(a), for “Directive 93/33/EEC” substitute “ Directive 2008/72/EC ”.
- (4) In regulation 5(d)(ii), for “Directive 92/33/EEC” substitute “ Directive 2008/72/EC ”.

Marginal Citations

M7 S.R. 1995 No. 415 as amended by S.R. 2007 No. 400 and S.I. 2011/1043

M8 OJ No L 25, 01.08.2008, p. 28 - 39

The Marketing of Ornamental Plant Propagating Material Regulations (Northern Ireland) 1999

4.—(1) The Marketing of Ornamental Plant Propagating Material Regulations (Northern Ireland) 1999 ^{M9} are amended as follows.

- (2) In regulation 2(2) (interpretation)—
- (a) omit the definition of “Directive 77/93/EEC”;
 - (b) in the definition of “Directive 98/56/EC” at the end insert “ as amended from time to time ”;
 - (c) after the definition of “Directive 98/56/EC” insert—
““Directive 2000/29/EC” means Council Directive 2000/29/EC ^{M10} on protective measures against the introduction into the Community of organisms harmful to plants or plant products and their spread within the Community;”;
 - (d) in the definition of “Regulation 2100/94” at the end insert “ as amended from time to time ”.
- (3) In regulation 9(2), for “Council Directive 77/93/EC” substitute “ Directive 2000/29/EC ”.

Marginal Citations

M9 S.R. 1999 No. 502, as amended by S.R. 2018 No. 183

M10 OJ No L 169, 10.07.2000, p. 1 - 112

The Marketing of Fruit Plant and Propagating Material Regulations (Northern Ireland) 2017

5.—(1) The Marketing of Fruit Plant and Propagating Material Regulations (Northern Ireland) 2017 ^{M11} are amended as follows.

- (2) In regulation 3(1) (interpretation: European Union instruments), in the definition of—
- (a) “Directive 2000/29/EC” at the end insert “ as amended from time to time ”;
 - (b) “Directive 2014/96/EU” at the end insert “ as amended from time to time ”;

- (c) “Directive 2014/97/EU” at the end insert “ as amended from time to time ”;
 - (d) “Directive 2014/98/EU” at the end insert “ as amended from time to time ”;
 - (e) “the Directive” at the end insert “ as amended from time to time ”.
- (3) In Schedule 3, paragraph 11 (interpretation), in the definition of—
- (a) “Directive 2001/18/EC” at the end insert “ as amended from time to time ”;
 - (b) “Regulation (EC) No 1829/2003” at the end insert “ as amended from time to time ”.

Marginal Citations

M11 S.R. 2017 No. 119

PART 4

Amendment of the Plant Health (Wood and Bark) Order (Northern Ireland) 2006

The Plant Health (Wood and Bark) Order (Northern Ireland) 2006

^{F1}6.

Textual Amendments

F1 Reg. 6 revoked (23.12.2020) by The Plant Health (Official Controls and Miscellaneous Provisions) Regulations (Northern Ireland) 2020 (S.R. 2020/293), regs. 1, **55(1)(c)**

PART 5

Amendment of the Plant Health Order (Northern Ireland) 2018

The Plant Health Order (Northern Ireland) 2018

^{F2}7.

Textual Amendments

F2 Reg. 7 revoked (23.12.2020) by The Plant Health (Official Controls and Miscellaneous Provisions) Regulations (Northern Ireland) 2020 (S.R. 2020/293), regs. 1, **55(1)(c)**

Sealed with the Official Seal of the Department of Agriculture, Environment and Rural Affairs on 6th March 2019.

L.S.
Department of Agriculture, Environment and
Rural Affairs

John Joe O'Boyle
A senior officer of the

EXPLANATORY NOTE

(This note is not part of the Order)

These Regulations are made in exercise of the powers in section 2(2) of, and paragraph 1A of Schedule 2 to, the European Communities Act 1972, in order to make miscellaneous technical amendments to update outdated references in existing legislation that transposes current EU Plant Health and Seeds requirements.

An Explanatory Memorandum for this instrument is available alongside the instrument at www.legislation.gov.uk.

Changes to legislation:

There are currently no known outstanding effects for the The Plant Health and Seeds (Miscellaneous Amendments) Regulations (Northern Ireland) 2019.