

1989 No. 1951

PLANT HEALTH

**The Plant Health (Forestry) (Great Britain)
(Amendment) Order 1989**

Made - - - - - *24th October 1989*
Laid before Parliament *31st October 1989*
Coming into force *21st November 1989*

The Forestry Commissioners, in exercise of the powers conferred on them by sections 1(2)(a), 2 and 3 of the Plant Health Act 1967(a) as read with section 20 of the Agriculture (Miscellaneous Provisions) Act 1972(b), and of all other powers enabling them in that behalf, hereby make the following Order:

Title, extent and commencement

1. This Order may be cited as the Plant Health (Forestry) (Great Britain) (Amendment) Order 1989 and shall come into force on 21st November 1989.

Amendment of the Plant Health (Forestry) (Great Britain) Order 1989

2. The Plant Health (Forestry) (Great Britain) Order 1989(c) shall be amended in accordance with articles 3 to 6 below.

3. In article 2 (interpretation) there shall be inserted in paragraph (a) of the definition of "importer", after the word "medium", the words "which is likely to be or has been landed in Great Britain".

4. In article 17(1)(b) (examination, sampling etc.) there shall be substituted the word "owner" for the word "importer".

5. In Part I of Schedule 1 (tree pests the landing of which is prohibited) there shall be inserted after the item numbered 8 the following item—

"8A. *Monochamus* spp. (non-European) Wood borers of conifers (*Coniferae*)."

6. In Part II of Schedule 3 (special conditions subject to which trees, wood etc. may be landed) there shall be inserted—

(a) in paragraph (1) of column 3 of item 1, after the word "bark", the words "and in the case of wood landed from non-European countries it shall be free from *Monochamus* spp. and their bore holes";

(a) 1967 c. 8; sections 2(1), 3(1) and (2) were amended by the European Communities Act 1972 (c.68), section 4(1) and Schedule 4, paragraph 8; section 3(4) was substituted by section 42 of the Criminal Justice Act 1982 (c.48) and is to be read, as regards England and Wales, with S.I. 1984/447, and section 52(4) of the Criminal Justice Act 1988 (c.33), and, as regards Scotland, with section 289G(13) of the Criminal Procedure (Scotland) Act 1975 (c.21) as inserted by section 66 of the Criminal Justice Act 1987 (c.41), and S.I. 1984/526.

(b) 1972 c.62.

(c) S.I. 1989/823.

- (b) in paragraph (2)(a) of column 3 of item 10, after the word "bark", the words "and in the case of wood landed from non-European countries it shall be free from *Monochamus* spp. and their bore holes".

In Witness whereof the Official Seal of the Forestry Commissioners is hereunto affixed on 24th October 1989.



P.J. Clarke
Secretary to the Forestry Commissioners

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Plant Health (Forestry) (Great Britain) Order 1989 by—

- (a) altering the definition of "importer" to make it clear that this term applies only to a person in possession or entitled to custody or control of any tree, wood etc. which is likely to be or has been landed in Great Britain;
- (b) adding to the list of tree pests set out in Schedule 1 Part I of the principal Order, the tree pest *Monochamus* spp. (non-European), the landing of which in Great Britain is now prohibited;
- (c) extending the controls over the landing in Great Britain of the wood of conifers and of dunnage, pallets and packing material thereof from non-European countries to require that such material shall be free from *Monochamus* spp. and their bore holes.

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