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STATUTORY INSTRUMENTS

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**1992 No. 44**

**PLANT HEALTH**

**The Watermark Disease (Local Authorities) (Amendment) Order 1992**

<i>Made</i>	- - - -	<i>10th January 1992</i>
<i>Laid before Parliament</i>		<i>17th January 1992</i>
<i>Coming into force</i>	- -	<i>10th February 1992</i>

The Forestry Commissioners, in exercise of the powers conferred on them by sections 3(1), (2) and (4) and 5(1) of the Plant Health Act 1967<sup>(1)</sup>, as read with section 20 of the Agriculture (Miscellaneous Provisions) Act 1972<sup>(2)</sup>, and of all other powers enabling them in that behalf, hereby make the following Order:

**Title and commencement**

1. This Order may be cited as the Watermark Disease (Local Authorities) (Amendment) Order 1992 and shall come into force on 10th February 1992.

**Amendment of the Watermark Disease (Local Authorities) Order 1974**

2. The Watermark Disease (Local Authorities) Order 1974<sup>(3)</sup> shall be further amended by substituting—

- (a) in article 8 thereof for the words “shall be liable on conviction to a fine not exceeding £1000” the words “shall be liable on summary conviction to a fine not exceeding level 5 on the standard scale”;
- (b) for Schedule 1 thereto (local authorities to which the Order applies) the following Schedule—

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(1) 1967 c. 8; section 3(1) and (2) was amended by the European Communities Act 1972 (c. 68), 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 with S.I.1984/447. Section 1(2) specifies the competent authorities for the purposes of the Act.  
(2) 1972 c. 62.  
(3) S.I. 1974/768, amended by S.I. 1984/688 and 1986/1342.

“SCHEDULE 1

Article 3

LOCAL AUTHORITIES TO WHICH THIS ORDER APPLIES

County Councils:

Bedfordshire

Essex

Hertfordshire

Norfolk

Suffolk

Wiltshire”.

**Revocation**

3. The Watermark Disease (Local Authorities) (Amendment) Order 1986<sup>(4)</sup> is hereby revoked.

In Witness whereof the Official Seal of the Forestry Commissioners is hereunto affixed on 10th January 1992.

*P.J. Clarke*  
Secretary to the Forestry Commissioners

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<sup>(4)</sup> S.I. 1986/1342.

## **EXPLANATORY NOTE**

*(This note is not part of the Order)*

This Order further amends the Watermark Disease (Local Authorities) Order 1974 which confers powers on the local authorities listed in Schedule 1 to that Order to take steps to prevent the spread of the disease of willows known as watermark disease. This Order adds to that list of local authorities the County Council of Wiltshire.

This Order also increases the maximum fine for offences under the principal Order to level 5 on the standard scale (currently£2000).