
STATUTORY INSTRUMENTS

1999 No. 3430

PESTICIDES

**The Plant Protection Products
(Amendment) (No. 2) Regulations 1999**

Made - - - - 20th December 1999
22nd December
Laid before Parliament 1999
Coming into force - - 13th January 2000

The Minister of Agriculture, Fisheries and Food and the Secretary of State, being Ministers designated⁽¹⁾ for the purposes of section 2(2) of the European Communities Act 1972⁽²⁾ in relation to the common agricultural policy of the European Community, acting jointly in exercise of the powers conferred on them by the said section 2(2)⁽³⁾ and of all other powers enabling them in that behalf, and, in respect of regulations 3 and 4 of the following Regulations, the Minister of Agriculture, Fisheries and Food in exercise of the powers conferred by section 56(1) and (2) of the Finance Act 1973⁽⁴⁾ and with the consent of the Treasury, hereby make the following Regulations:

Title, commencement and extent

1.—(1) These Regulations may be cited as the Plant Protection Products (Amendment) (No. 2) Regulations 1999 and shall come into force on 13th January 2000.

(2) These Regulations shall apply in Great Britain.

(3) For the avoidance of doubt, in their application to Scotland these Regulations shall have effect both in relation to the exercise by the Scottish Ministers, by virtue of section 53 of the Scotland Act 1998, of relevant functions under the Plant Protection Products Regulations 1995⁽⁵⁾ and to the continuing exercise of those functions, by virtue of section 57 of that Act, by the Minister of Agriculture, Fisheries and Food and the Secretary of State.

(1) S.I. 1972/1811.

(2) 1972 c. 68.

(3) See also, as regards Scotland, section 57 of the Scotland Act 1998 (c. 46), which provides that, despite the transfer to the Scottish Ministers by virtue of that Act of functions in relation to observing and implementing obligations under Community law, any function of a Minister of the Crown in relation to any matter shall continue to be exercisable by him as regards Scotland for the purposes specified in section 2(2) of the European Communities Act 1972. As regards Wales, the powers of the Minister of Agriculture, Fisheries and Food and the Secretary of State, as Ministers designated for the purposes of section 2(2) of the European Communities Act 1972 in relation to the common agricultural policy of the European Community, to make regulations which extend to Wales is confirmed by article 3(4) of the European Communities (Designation) (No. 3) Order 1999 (S.I. 1999/2788).

(4) 1973 c. 51. On the exercise of these powers as regards Scotland see note (c) above.

(5) S.I. 1995/887, amended by S.I. 1997/7, 1997/2499 and 1999/1228 (S.I. 1999/1228 is revoked by the present Regulations).

Amendment of the Plant Protection Products Regulations 1995

2. Regulation 2(1) of the Plant Protection Products Regulations 1995 shall be amended by substituting for the definition of “the Directive” the following definition—

““the Directive” means Council Directive [91/414/EEC](#) concerning the placing of plant protection products on the market⁽⁶⁾, as amended by—

- (a) Commission Directive [93/71/EEC](#)⁽⁷⁾;
- (b) Commission Directive [94/37/EC](#)⁽⁸⁾;
- (c) Commission Directive [94/79/EC](#)⁽⁹⁾;
- (d) Commission Directive [95/35/EC](#)⁽¹⁰⁾;
- (e) Commission Directive [95/36/EC](#)⁽¹¹⁾;
- (f) Commission Directive [96/12/EC](#)⁽¹²⁾;
- (g) Commission Directive [96/46/EC](#)⁽¹³⁾;
- (h) Commission Directive [96/68/EC](#)⁽¹⁴⁾;
- (i) Council Directive [97/57/EC](#)⁽¹⁵⁾;
- (j) Commission Directive [97/73/EC](#)⁽¹⁶⁾;
- (k) Commission Directive [98/47/EC](#)⁽¹⁷⁾;
- (l) Commission Directive [1999/1/EC](#)⁽¹⁸⁾;
- (m) Commission Directive [1999/73/EC](#)⁽¹⁹⁾;
- (o) Commission Directive [1999/80/EC](#)⁽²⁰⁾.”

Amendment of the Plant Protection Products (Fees) Regulations 1995

3. Regulation 2 of the Plant Protection Products (Fees) Regulations 1995⁽²¹⁾ shall be amended by substituting for the definition of “principal Regulations” the following definition—

““principal Regulations” means the Plant Protection Products Regulations 1995 as amended by—

- (a) the Plant Protection Products (Amendment) Regulations 1997⁽²²⁾;
- (b) the Plant Protection Products (Amendment) (No. 2) Regulations 1997⁽²³⁾;
- (c) the Plant Protection Products (Amendment) (No. 2) Regulations 1999.”

(6) OJ No. L230, 19.8.91, p. 1 (to be read with Corrigenda published in OJ No. L170, 25.6.92, p. 40).

(7) OJ No. L221, 31.8.93, p. 27 (to be read with Corrigenda published in OJ No. L4, 6.1.96, p. 16).

(8) OJ No. L194, 29.7.94, p. 65.

(9) OJ No. L354, 31.12.94, p. 16 (to be read with Corrigenda published in OJ No. L280, 23.11.95, p. 58).

(10) OJ No. L172, 22.7.95, p. 6.

(11) OJ No. L172, 22.7.95, p. 8.

(12) OJ No. L65, 15.3.96, p. 20.

(13) OJ No. L214, 23.8.96, p. 18.

(14) OJ No. L277, 30.10.96, p. 25.

(15) OJ No. L265, 27.9.97, p. 87.

(16) OJ No. L353, 24.12.97, p. 26.

(17) OJ No. L191, 7.7.98, p. 50.

(18) OJ No. L21, 28.1.99, p. 21.

(19) OJ No. L206, 5.8.99, p. 16.

(20) OJ No. L210, 10.8.99, p. 13.

(21) S.I. [1995/888](#), amended by S.I. [1997/884](#) and [1999/1228](#) (the latter is revoked by the present Regulations).

(22) S.I. [1997/7](#).

(23) S.I. [1997/2499](#).

Revocation

4. The Plant Protection Products (Amendment) Regulations 1999(24) are hereby revoked.

20th December 1999

Hayman
Minister of State Ministry of Agriculture,
Fisheries and Food

20th December 1999

John Reid
Secretary of State for Scotland

We consent to the making of regulations 3 and 4 of these Regulations,

20th December 1999

Jim Dowd
Bob Ainsworth
Two of the Lords Commissioners of Her
Majesty's Treasury

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations, which apply in Great Britain, further amend the Plant Protection Products Regulations 1995 (S.I. [1995/887](#)) as amended (“the principal Regulations”) which implement in Great Britain Council Directive [91/414/EEC](#) concerning the placing of plant protection products on the market (OJ No. L230, 19.8.91, p. 1 as read with OJ No. L170, 25.6.92, p. 40) (“the Directive”) as amended.

The Regulations amend the definition of “the Directive” contained in the principal Regulations in consequence of Commission Directive [99/73/EC](#) (OJ No. L206, 5.8.99, p. 16) and Commission Directive [1999/80/EC](#) (OJ No. L210, 10.8.99, p. 13), which insert two active substances (respectively Spiroxamine and Azimsulfuron) into Annex I to the Directive. The Regulations also make consequential amendments to the Plant Protection Products (Fees) Regulations 1995 (S.I. [1995/888](#)) as amended.

The Regulations revoke the Plant Protection Products (Amendment) Regulations 1999 (S.I. [1999/1228](#)) which made amendments that are consolidated in the amendments made by the present Regulations.