
STATUTORY INSTRUMENTS

2016 No. 104

PLANT HEALTH, ENGLAND

The Plant Health (England) (Amendment) Order 2016

<i>Made</i>	- - - -	<i>1st February 2016</i>
<i>Laid before Parliament</i>		<i>3rd February 2016</i>
<i>Coming into force</i>	- -	<i>24th February 2016</i>

The Secretary of State makes this Order in exercise of the powers conferred by sections 2 and 3(1) and (4) of the Plant Health Act 1967⁽¹⁾ and now vested in the Secretary of State⁽²⁾.

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- (1) [1967 c.8](#); section 2 was amended by the European Communities Act [1972 \(c.68\)](#), Schedule 4, paragraph 8(2)(a), the Customs and Excise Management Act [1979 \(c.2\)](#), Schedule 4, paragraph 12 and [S.I. 1990/2371, 2011/1043](#). Section 3(1) was amended by the European Communities Act [1972 \(c.68\)](#), Schedule 4, paragraph 8(2)(a) and (b) and [S.I. 2011/1043](#). Section 3(4) was substituted by the Criminal Justice Act [1982 \(c.48\)](#), section 42 and amended by the Statute Law (Repeals) Act [1993 \(c.50\)](#). The powers conferred by sections 2 and 3 are conferred on a “competent authority”, which is defined in section 1(2). Section 1(2) provides that the Secretary of State is the competent authority for England otherwise than as regards the protection of forest trees and timber from attack by pests.
- (2) The functions of the Minister of Agriculture, Fisheries and Food under the Plant Health Act 1967, in so far as they were not exercisable in relation to Wales, were transferred to the Secretary of State by article 2(2) of the Ministry of Agriculture, Fisheries and Food (Dissolution) Order 2002 ([S.I. 2002/794](#)).

Changes to legislation:

There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Plant Health (England) (Amendment) Order 2016. Any changes that have already been made by the team appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

- [Order revoked by S.I. 2019/1517 Sch. 6](#)