
WELSH STATUTORY INSTRUMENTS

2014 No. 521

The Plant Health (Wales) (Amendment) Order 2014

Amendment of article 22 (exceptions from certain prohibitions and requirements)

9.—(1) For article 22(1)(1), substitute—

“(1) The following prohibitions and requirements do not apply to small quantities of the following relevant material where it meets the conditions in paragraph (1A)—

- (a) in the case of relevant material, other than plants of *Castanea* Mill., *Fraxinus* L. or *Platanus* L. intended for planting—
 - (i) the prohibitions on landing in article 19(1)(e), (f) and (g), (4) and (7);
 - (ii) the prohibitions on movement in article 20(1)(e) and (f); and
 - (iii) the requirements in article 21(1), (2), (5) and (6);
- (b) in the case of plants of *Castanea* Mill. intended for planting—
 - (i) the prohibitions on landing in article 19(1)(e), other than the prohibition on the landing of plants of *Castanea* Mill. intended for planting unless the requirements in column 3 of item 6 of Part A of Schedule 4 have been complied with;
 - (ii) the prohibitions on landing in article 19(1)(f), other than the prohibition on the landing of plants of *Castanea* Mill. intended for planting unless the requirements in column 3 of item 4 of Part B of Schedule 4 have been complied with; and
 - (iii) the requirements in article 21(1) and (5);
- (c) in the case of plants of *Castanea* Mill. intended for planting which originate in Great Britain and have remained in Great Britain throughout their life—
 - (i) the prohibitions on movement under article 20(1)(e); and
 - (ii) the requirement in article 21(8)(a);
- (d) in the case of plants of *Castanea* Mill. intended for planting which originate in Great Britain, but have not remained in Great Britain throughout their life, the prohibitions on movement under article 20(1)(e), other than the prohibition on the movement of plants of *Castanea* Mill. intended for planting unless the requirements in column 3 of item 4 of Part B of Schedule 4 have been complied with;
- (e) in the case of plants of *Platanus* L. intended for planting—
 - (i) the prohibitions on landing in article 19(1)(e), other than the prohibition on the landing of plants, other than seeds, of *Platanus* L. intended for planting unless the requirements in column 3 of item 8 of Part A of Schedule 4 have been complied with;

- (ii) the prohibitions on landing in article 19(1)(f), other than the prohibition on the landing of plants, other than seeds, of *Platanus* L. intended for planting unless the requirements in column 3 of item 5 of Part B of Schedule 4 have been complied with; and
 - (iii) the requirements in article 21(1) and (5);
 - (f) in the case of plants of *Platanus* L. intended for planting which originate in Great Britain and have remained in Great Britain throughout their life—
 - (i) the prohibitions on movement under article 20(1)(e); and
 - (ii) the requirement in article 21(8)(b); or
 - (g) in the case of plants of *Platanus* L. intended for planting which originate in Great Britain but have not remained in Great Britain throughout their life, the prohibitions on movement under article 20(1)(e), other than the prohibition on the movement of plants, other than seeds, of *Platanus* L. intended for planting unless the requirements in column 3 of item 5 of Part B of Schedule 4 have been complied with.
- (1A) The conditions are that the relevant material—
- (a) does not show any signs of the presence of a plant pest;
 - (b) is not intended for use in the course of a trade or business; and
 - (c) is intended for household use.”
- (2) After article 22(2), insert—
- “(3) The requirement in article 21(1) for certain relevant material to be accompanied by a plant passport does not apply to the movement of the following relevant material if the material originates in a demarcated area and is not moved from the demarcated area—
- (a) tubers of *Solanum tuberosum* L., including those intended for planting; or
 - (b) plants intended for planting, other than seeds, which can only grow in water or soil that is permanently saturated with water.
- (4) In paragraph (3), “demarcated area” means—
- (a) in relation to tubers of *Solanum tuberosum* L., an area which has been established in accordance with Article 5 of Decision 2012/270/EU; and
 - (b) in relation to plants intended for planting, other than seeds, which can only grow in water or soil that is permanently saturated with water, an area established in accordance with Article 5 of Decision 2012/697/EU.”