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STATUTORY RULES OF NORTHERN IRELAND

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**1996 No. 18**

**Plant Health (Wood and Bark) (Amendment)  
Order (Northern Ireland) 1996**

**Citation and commencement**

1. This Order may be cited as the Plant Health (Wood and Bark) (Amendment) Order (Northern Ireland) 1996 and shall come into operation on 6th March 1996.

**Amendment of the Plant Health (Wood and Bark) Order (Northern Ireland) 1993**

2. The Plant Health (Wood and Bark) Order (Northern Ireland) 1993(1) shall be amended in accordance with Articles 3 to 16.

3. In Article 2(1) (Interpretation)—

- (a) for the definition of “dunnage” there shall be substituted the following definition—  
““dunnage” means wood of any kind used to wedge or support parts of a cargo and includes packing material, spacers and pallets;”
- (b) after the definition of “inspector” there shall be inserted the following definitions—  
““Ireland” and “United Kingdom” have the same respective meanings as in Directive [77/93/EEC](#),”
- (c) in the definition of “plant passport” for the word “information” there shall be substituted “information”.

4. In Article 3 (Prohibition and restrictions on landing of pests, wood, isolated bark and used forestry machinery)—

- (a) for the words “A person shall not land” there shall be substituted “There shall not be landed” in each place where those words occur;
- (b) for the words “a person shall not land” there shall be substituted “there shall not be landed”.

5. In Article 5 (Prohibition on introduction into protected zones of pests, wood, isolated bark and used forestry machinery)—

- (a) in paragraph (1) for the words “A person shall not introduce” there shall be substituted “There shall not be introduced”;
- (b) in paragraph (2) for the words “A person shall not introduce” there shall be substituted “Subject to Article 6A, there shall not be introduced”.

6. After Article 6 (Prevention of the spread of pests within protected zones) there shall be inserted the following Article—

**“Movement of wood, isolated bark and used forestry machinery through protected zones**

**6A.—**(1) Where wood or isolated bark which is specified in column (2) of Part B of Schedule 4 originates outside the protected zones listed in column (4) of that Part opposite the reference to such wood or isolated bark it may be moved through a protected zone to a destination outside thereof without a plant passport valid for that protected zone provided that the conditions specified in Part A of Schedule 9 are met.

(2) Where used forestry machinery originates outside the protected zones listed in column (4) of Part B of Schedule 4 it may be moved through a protected zone to a destination outside thereof provided that the conditions specified in Part A of Schedule 9 are met.

(3) Where in the case of any wood or isolated bark to which paragraph (1) relates or in the case of used forestry machinery to which paragraph (2) relates, it appears during an inspection carried out under Article 23 within the protected zone in relation thereto that the wood, isolated bark or used forestry machinery does not meet the conditions specified in Part A of Schedule 9 then without prejudice to Article 20 or 21 the measures specified in Part B of that Schedule may be taken in relation thereto.”

7. For Article 8 (Requirements for plant passports), there shall be substituted the following:—

**“8.—**(1) Subject to Article 6A—

- (a) there shall not be landed any wood or isolated bark which is specified in column (2) of Section II of Part A of Schedule 4 or in column (2) of Part B of that Schedule (other than wood of conifers actually in use as dunnage or wood of conifers which has been stripped of its bark), and has been consigned directly from a Member State, Great Britain, the Isle of Man or any of the Channel Islands;
- (b) a person shall not move or cause to permit to be moved within Northern Ireland any wood or isolated bark specified in column (2) of Section II of Part A of Schedule 4 or in column (2) of Part B of that Schedule (other than wood of conifers actually in use as dunnage or wood of conifers which has been stripped of its bark),

unless that wood or isolated bark is accompanied by a plant passport valid for Northern Ireland.

(2) Subject to Article 6A, a person shall not consign directly from Northern Ireland to a Member State or to Great Britain, the Isle of Man or any of the Channel Islands any wood, isolated bark or other object specified in column (2) of Part A of Schedule 5 (other than wood of conifers actually in use as dunnage or wood of conifers which has been stripped of its bark) unless that wood, isolated bark or other object is accompanied by a plant passport.

(3) Subject to Article 6A, a person shall not consign directly from Northern Ireland to a protected zone listed in column (4) of Part B of Schedule 5 any wood or isolated bark specified opposite thereto in column (2) (other than wood of conifers actually in use as dunnage or wood of conifers which has been stripped of its bark) unless that wood or isolated bark is accompanied by a plant passport valid for that protected zone.”

8. In Article 16(1) (Conditions for registration) after sub-paragraph (g) there shall be added the following sub-paragraph—

- “(h) make a declaration at such time and in such form as the Department may from time to time require that he is able and willing to comply with the conditions specified in sub-paragraphs (a) to (g) and with the other provisions of this Order”.

9. After Article 18 (Notification of the presence or suspected presence of certain pests) there shall be inserted the following Article—

**“Notification of landing of wood, isolated bark and other objects consigned directly from third countries, whose landing in Northern Ireland is subject to special conditions**

**18A.** There shall not be landed any wood, isolated bark or other objects of a description specified in column (2) of Section I of Part A of Schedule 4 unless the importer has notified an inspector of his intention to land that wood, isolated bark or other objects and of the proposed means of introduction and point of entry at least three days before the intended date of landing.”.

**10.** In Article 20(2)(e) (Actions which may be required by an inspector), after the words “Article 6” there shall be inserted the words “or 6A”.

**11.** In Schedule 2, in Part B (WOOD AND ISOLATED BARK WHICH MAY NOT BE INTRODUCED INTO CERTAIN PROTECTED ZONES AND WHOSE MOVEMENT WITHIN THOSE ZONES IS PROHIBITED IF THEY ARE INFECTED WITH CERTAIN PESTS) in column 4—

(a) for the words opposite Item 1 there shall be substituted—

“Greece, Ireland, Spain, United Kingdom (Scotland, Northern Ireland, England: the following counties: Bedfordshire, Berkshire, Buckinghamshire, Cambridgeshire, Cleveland, Cornwall, Cumbria, Devon, Dorset, Durham, East Sussex, Essex, Greater London, Hampshire, Hertfordshire, Humberside, Kent, Lincolnshire, Norfolk, Northamptonshire, Northumberland, Nottinghamshire, Oxfordshire, Somerset, South Yorkshire, the Isle of Wight, the Isle of Man, Jersey, the Isles of Scilly, and the following parts of counties; AVON: that part of the county which lies to the south of the southern boundary of the M4 motorway; CHESHIRE: that part of the county which lies to the east of the eastern boundary of the Peak District National Park together with that part of the county which lies to the north of the northern boundary of the A52(T) road to Derby and that part of the county which lies to the north of the northern boundary of the A6(T) road; GLOUCESTERSHIRE: that part of the county which lies to the east of the eastern boundary of the Fosse Way Roman road; GREATER MANCHESTER: that part of the county which lies to the east of the eastern boundary of the Peak District National Park; LEICESTERSHIRE: that part of the county which lies to the east of the eastern boundary of the Fosse Way Roman road together with that part of the county which lies to the east of the eastern boundary of the B411A road together with that part of the county which lies to the east of the eastern boundary of the M1 motorway; NORTH YORKSHIRE: the whole county except that part of the county which comprises the district of Craven; STAFFORDSHIRE: that part of the county which lies to the east of the eastern boundary of the A52(T) road; WARWICKSHIRE: that part of the county which lies to the east of the eastern boundary of the Fosse Way Roman road; WILTSHIRE: that part of the county which lies to the south of the southern boundary of the M4 motorway to the intersection of the M4 motorway and the Fosse Way Roman road, and that part of the county which lies to the east of the eastern boundary of the Fosse Way Roman road).”;

(b) the words “Italy” and “Portugal” opposite item 2 shall be deleted in each place where they appear;

(c) the word “Greece” opposite Item 2(d) shall be deleted; and

(d) for the words opposite Item 4 there shall be substituted “Ireland, United Kingdom (Northern Ireland, Isle of Man and Jersey).”

**12.** In Schedule 4 for Part B (CONDITIONS TO BE MET BEFORE WOOD, ISOLATED BARK AND USED FORESTRY MACHINERY MAY BE INTRODUCED INTO OR MOVED WITHIN CERTAIN PROTECTED ZONES) there shall be substituted the Part set out in Schedule 1.

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

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**13.** In Schedule 5 for Part B (WOOD, ISOLATED BARK AND USED FORESTRY MACHINERY WHOSE CONSIGNMENT TO A PROTECTED ZONE OUTSIDE NORTHERN IRELAND IS SUBJECT TO SPECIAL CONDITIONS) there shall be substituted the Part set out in Schedule 2.

**14.** For Schedule 7 (Form of Phytosanitary Certificate and Reforwarding Phytosanitary Certificate) there shall be substituted the Schedule set out in Schedule 3.

**15.** At the end of Schedule 8 (Instruments amending and supplementing Council Directive [77/93/EEC](#)) there shall be added the following:

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“Commission Directive <a href="#">93/51/EEC</a>	O.J. No. L.205, 17.8.93, p. 24.
Commission Directive <a href="#">93/106/EC</a>	O.J. No. L.298, 3.12.93, p. 34.
Commission Directive <a href="#">93/110/EC</a>	O.J. No. L.303, 10.12.93, p. 19.
Council Decision <a href="#">95/1/EC</a>	O.J. No. L.1, 1.1.95, p. 1.
Commission Directive <a href="#">95/40/EC</a>	O.J. No. L.182, 2.8.95, p. 14.
Commission Directive <a href="#">95/41/EC</a>	O.J. No. L.182, 2.8.95, p. 17.”

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**16.** After Schedule 8 there shall be added the Schedule set out in Schedule 4.

Sealed with the Official Seal of the Department of Agriculture on

L.S.

29th January 1996.

*W. J. Wright*  
Assistant Secretary