
STATUTORY RULES OF NORTHERN IRELAND

2019 No. 230

The Plant Health (Official Controls and Miscellaneous Provisions) Regulations (Northern Ireland) 2019

PART 6

Registration, authorisations and certificates

Application for registration

18. An application for registration pursuant to Article 66(1) of the EU Plant Health Regulation which is to be submitted to the Department must be submitted in the manner and form required by the Department.

Other applications

19.—(1) The following applications must be made to the Department in the manner and form required by the Department—

- (a) an application for a temporary authorisation to permit a relevant activity for official testing, scientific or educational purposes, trials, varietal selection or breeding;
- (b) an application for an authorisation referred to in Article 64(2) of the EU Plant Health Regulation;
- (c) an application for an authorisation referred to in Article 89(1) of the EU Plant Health Regulation;
- (d) an application for an authorisation referred to in Article 98(1) of the EU Plant Health Regulation;
- (e) an application for the issue of a phytosanitary certificate for export, a phytosanitary certificate for re-export or a pre-export certificate.

(2) In this regulation—

“relevant activity” means an activity which would otherwise be prohibited under the EU Plant Health Regulation, an EU Decision or another EU plant health rule involving—

- (a) the introduction of a plant pest or a plant, plant product or other object into Northern Ireland;
- (b) the movement of a plant pest or a plant, plant product or other object within Northern Ireland;
- (c) the holding of a controlled plant pest or a plant, plant product or other object at premises in Northern Ireland; or
- (d) the multiplication of a plant pest at premises in Northern Ireland.

Authorisations for other purposes

20.—(1) This regulation applies to any derogation from provisions of the EU Plant Health Regulation which is set out in an implementing or delegated act adopted by the European Commission under the EU Plant Health Regulation or the Official Controls Regulation or in any decision within the meaning of Article 288 of the Treaty on the Functioning of the European Union which continues to apply for the purposes of the EU Plant Health Regulation on or after the commencement date which allows member States to authorise an activity which would otherwise be prohibited by or under the EU Plant Health Regulation.

(2) The Department may grant an authorisation to permit the carrying out of the activity in the manner specified in the relevant derogation.

(3) An application for any such authorisation must be made to the Department in the manner and form required by the Department.

Authorisations granted by the Department

21. An authorisation granted by the Department for the purposes of the EU Plant Health Regulation or these Regulations must be in writing and may be granted—

- (a) subject to conditions;
- (b) for an indefinite period or a specified period.

(2) An authorisation granted by the Department may be modified, suspended or revoked by the Department at any time by notice in writing.