

SCHEDULE 5

Regulation 49

Amendments to secondary legislation

**PART 1**

The Marketing of Vegetable Plant Material Regulations (Northern Ireland) 1995

1.—(1) The Marketing of Vegetable Plant Material Regulations (Northern Ireland) 1995 <sup>M1</sup> are amended as follows.

<sup>F1</sup>(2) .....

(3) In regulation 8(2), for “Council Directive [2000/29/EC](#)” substitute “ the EU Plant Health Regulation ”.

**Textual Amendments**

**F1** Regulations revoked (except regs. 49, 50, Sch. 5 paras. 1(1)(3), 2(1)-(6), 5(1)(3)-(5), Sch. 6) (23.12.2020) by [The Plant Health \(Official Controls and Miscellaneous Provisions\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/293\)](#), regs. 1, **55(1)(d)** (with reg. 55(2)-(4))

**Commencement Information**

**II** Sch. 5 para. 1 in operation at 14.12.2019, see [reg. 1](#)

**Marginal Citations**

**M1** S.R. [1995 No. 415](#).

**PART 2**

The Marketing of Ornamental Plant Propagating Material Regulations (Northern Ireland) 1999

2.—(1) The Marketing of Ornamental Plant Propagating Material Regulations (Northern Ireland) 1999 are amended as follows.

(2) In regulation 2(1)—

(a) omit the definition of “Directive [2000/29/EC](#)”;

(b) at the appropriate place insert—

““the EU Plant Health Regulation” means Regulation (EU) 2016/2031 of the European Parliament of the Council on protective measures against pests of plants, amending Regulations (EU) No 228/2013, (EU) No 652/2014 and (EU) No 1143/2014 of the European Parliament and of the Council and repealing Council Directives [69/464/EEC](#), [74/647/EEC](#), [93/85/EEC](#), [98/57/EC](#), [2000/29/EC](#), [2006/91/EC](#) and [2007/33/EC](#).

“the Plant Health Official Controls Regulations” means the Plant Health (Official Controls and Miscellaneous Provisions) Regulations (Northern Ireland) 2019;”.

(3) In regulation 6A(4), in the definition of “responsible official body”, for the words from “a body” to the end, substitute “ an appropriate authority described in regulation 2(1) of the Plant Health Official Controls Regulations ”.

**Changes to legislation:** There are currently no known outstanding effects for the *The Plant Health (Official Controls and Miscellaneous Provisions) Regulations (Northern Ireland) 2019, SCHEDULE 5.* (See end of Document for details)

(4) For regulation 7(5) substitute—

“(5) Registration of a supplier on the register of professional operators under regulation 5 of the Plant Health Official Controls Regulations is deemed to constitute registration for the purposes of paragraph (1) above.”.

(5) In regulation 8(3)—

(a) for the words from “a plant pest” to “Order (Northern Ireland) 1993” substitute “ a controlled plant pest as defined in regulation 2(1) of the Plant Health Official Controls Regulations ”;

(b) for the words from “article 20” to “certain plant pests” substitute “ the EU Plant Health Regulation ”.

(6) In regulation 9(2), for “Directive 2000/29/EC” substitute “ the EU Plant Health Regulation ”.

<sup>F1</sup>(7) .....

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**Textual Amendments**

**F1** Regulations revoked (except regs. 49, 50, Sch. 5 paras. 1(1)(3), 2(1)-(6), 5(1)(3)-(5), Sch. 6) (23.12.2020) by [The Plant Health \(Official Controls and Miscellaneous Provisions\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/293\)](#), regs. 1, **55(1)(d)** (with reg. 55(2)-(4))

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**Commencement Information**

**I2** Sch. 5 para. 2 in operation at 14.12.2019, see [reg. 1](#)

### PART 3

#### The Forest Reproductive Material Regulations (Northern Ireland) 2002

<sup>F13</sup> .....

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**Textual Amendments**

**F1** Regulations revoked (except regs. 49, 50, Sch. 5 paras. 1(1)(3), 2(1)-(6), 5(1)(3)-(5), Sch. 6) (23.12.2020) by [The Plant Health \(Official Controls and Miscellaneous Provisions\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/293\)](#), regs. 1, **55(1)(d)** (with reg. 55(2)-(4))

### PART 4

#### The Seed Potatoes Regulations (Northern Ireland) 2016

<sup>F14</sup> .....

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**Textual Amendments**

**F1** Regulations revoked (except regs. 49, 50, Sch. 5 paras. 1(1)(3), 2(1)-(6), 5(1)(3)-(5), Sch. 6) (23.12.2020) by [The Plant Health \(Official Controls and Miscellaneous Provisions\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/293\)](#), regs. 1, **55(1)(d)** (with reg. 55(2)-(4))

## PART 5

### The Marketing of Fruit Plant and Propagating Material Regulations (Northern Ireland) 2017

5.—(1) The Marketing of Fruit Plant and Propagating Material Regulations (Northern Ireland) 2017 <sup>M2</sup> are amended as follows.

<sup>F1</sup>(2) .....

(3) In regulation 3(1), omit the definition of “Directive [2000/29/EC](#)”.

(4) Omit regulation 10(6).

(5) In regulation 11(7), for the words from “plant trader” to “2006” substitute “ professional operator under regulation 4 of the Plant Health Official Controls Regulations ”.

<sup>F1</sup>(6) .....

#### Textual Amendments

**F1** Regulations revoked (except regs. 49, 50, Sch. 5 paras. 1(1)(3), 2(1)-(6), 5(1)(3)-(5), Sch. 6) (23.12.2020) by [The Plant Health \(Official Controls and Miscellaneous Provisions\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/293\)](#), regs. 1, **55(1)(d)** (with reg. 55(2)-(4))

#### Commencement Information

**I3** Sch. 5 para. 5 in operation at 14.12.2019, see [reg. 1](#)

#### Marginal Citations

**M2** S.R. [2017 No. 119](#).

**Changes to legislation:**

There are currently no known outstanding effects for the The Plant Health (Official Controls and Miscellaneous Provisions) Regulations (Northern Ireland) 2019, SCHEDULE 5.