

2002 No. 927

PLANT HEALTH

**The Plant Health (Forestry) (Great Britain) (Amendment)
(No. 2) Order 2002**

Made - - - - - *28th March 2002*

Laid before Parliament *4th April 2002*

Coming into force - - *26th April 2002*

The Forestry Commissioners, in exercise of the powers conferred on them by sections 2 and 3(1) to (4) of the Plant Health Act 1967(a) as read with section 20 of the Agriculture (Miscellaneous Provisions) Act 1972(b), hereby make the following Order:

Title and commencement

1. This Order may be cited as the Plant Health (Forestry) (Great Britain) (Amendment) (No. 2) Order 2002 and shall come into force on 26th April 2002.

Amendment of the Plant Health (Forestry) (Great Britain) Order 1993

2.—(1) The Plant Health (Forestry) (Great Britain) Order 1993(c) (“the Order”) shall be amended in accordance with this article.

(2) In article 2(1) of the Order—

(a) for the definition of “Directive 2000/29/EC”(d) there shall be substituted the following text:

““Directive 2000/29/EC’ means Council Directive 2000/29/EC of 8th May 2000 on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community as amended by Commission Directive 2001/33/EC(e) of 8th May 2001 amending certain annexes to Council Directive 2000/29/EC, and by Commission Directive 2002/28/EC(f) of 19th March 2002 amending certain annexes to Council Directive 2000/29/EC;”.

(a) 1967 c. 8; section 2 and paragraphs (1) and (2) of section 3 were amended by the European Communities Act 1972 (c. 68), Schedule 4, paragraph 8; section 3(4) was substituted by section 42 of the Criminal Justice Act 1982 (c. 48). Section 1(2) of the Plant Health Act 1967 defines “competent authorities” for the purposes of the Act.

(b) 1972 c. 62.

(c) S.I. 1993/1283, amended by S.I. 1994/3094, 1995/1989, 1996/751, 1998/2206 and 3109, 2001/2995 and 2002/295.

(d) OJ No. L 169, 10.7.00, p.1.

(e) OJ No. L 127, 9.5.01, p.42; and see the associated Commission Directive 2001/32/EC, OJ No. L 127, 9.5.01, p.38.

(f) OJ No. L 77, 20.3.02, p.23, and see the associated Commission Directive 2002/29/EC, OJ No. L 77, 20.3.02, p.26.

(3) In Schedule 5 (Restrictions on consignments of relevant material to member States), Part B, items 8 and 22 shall be deleted.

In witness whereof the Official Seal of the Forestry Commissioners is hereunto affixed on 28th March 2002.



Frank Strang
Secretary to the Forestry Commissioners

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Plant Health (Forestry) (Great Britain) Order 1993 so as to implement certain elements of Commission Directives 2002/29/EC (OJ No. L 77, 20.3.02, p.26) and 2002/28/EC (OJ No. L 77, 20.3.02, p.23) in Great Britain which are not implemented in other legislation. Directive 2002/29/EC amends the protected zones established under Council Directive 2000/29/EC (OJ No. L 169, 10.7.00, p.1) (“the principal Plant Health Directive”) and scheduled in the Annex to Commission Directive 2001/32/EC (OJ No. L 127, 9.5.01, p.38). Directive 2002/28/EC provides for consequential amendments to certain Annexes of the principal Plant Health Directive.

The amendment to the protected zones implemented by this Order concerns the removal of the protected zone in Corsica in respect of the pest *Matsucoccus feytaudi* Duc. (article 2(3)).

An additional amendment is made to the definition of Council Directive 2000/29/EC so as to incorporate amendments made to it by Commission Directive 2002/28/EC (article 2(2)).

No Regulatory Appraisal has been prepared in respect of this Order.

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