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STATUTORY INSTRUMENTS

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**2005 No. 2517**

**The Plant Health (Forestry) Order 2005**

**PART 6**

**MEASURES TO CONTROL THE LANDING OF RELEVANT  
MATERIAL AND PREVENT THE SPREAD OF TREE PESTS**

**Miscellaneous provisions as to notices**

**33.**—(1) A notice served under paragraph (1) or (2) of article 31 may specify one or more requirements or alternative requirements.

(2) Any treatment, re-export, destruction or disposal required by a notice served under article 31 shall be carried out or arranged to be carried out by the person on whom the notice is served to the satisfaction of an inspector from or at a place designated by an inspector and, except with the written authority of an inspector, no tree pest or relevant material to which the notice relates shall be moved otherwise than directly from or to such a place.

(3) An inspector may amend or withdraw a notice served by an inspector under this Order by a further notice served on the person on whom the original notice was served or on the person who is the occupier or in charge of the premises in respect of which the further notice is intended to be served.

(4) A notice under paragraph (3) may be subject to such conditions, if any, as the inspector considers expedient to impose for the purpose of preventing the introduction or spread of any tree pest or re-infection or re-infestation by the tree pest to which the original notice relates.

(5) Any notice served under this Part may define by reference to a map or plan or otherwise the extent of the premises referred to in the notice.

(6) Where a notice is served under paragraph (2) or (4) of article 31 (“an article 31 notice”), an inspector may, either in that notice or in a separate notice served on the owner or on such other person as appears to him to be in charge of the premises to which the article 31 notice relates, require the person on whom the notice is served to inform—

- (a) the Commissioners of any change in the occupation of the premises to which the article 31 notice relates together with the date of such change and the name of the new occupier; and
- (b) the new occupier of the premises of the contents of the article 31 notice.