
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Forest Reproductive Material (Great Britain) Regulations 2002 ([S.I. 2002/3026](#)) so as to implement—

Commission Decision [2005/942/EC](#) of 21st December 2005 authorising Member States to take decisions under Directive [1999/105/EC](#) on assurances afforded in respect of forest reproductive material produced in third countries (O.J. L 342, 24.12.2005, p. 92) and Commission Regulation [69/2004/EC](#) of 15th January 2004 authorising derogations from certain provisions of Council Directive [1999/105/EC](#) in respect of the marketing of forest reproductive material derived from certain basic material (O.J. L 10, 16.1.2004, p. 16).

The principal changes introduced by these Regulations are as follows—

- (a) amendment of the definitions of “master certificate” to include an official certificate from a third country and of “official body” to include official bodies in third countries (regulation 3);
- (b) exemption from the requirement in paragraph (c) of Part 1 of Schedule 4 (Seed Orchards) in the case of *Pinus pinaster* Ait. and corresponding requirement for a statement to be included in the supplier’s label for such material (regulations 4 and 6(b));
- (c) provision for the conditions under which forest reproductive material from third countries may be marketed (regulation 5);
- (d) addition of “the length of time in nursery” to the information which a registered supplier must provide when dispatching forest reproductive material to a destination in another member State (regulation 8);
- (e) removal of the prohibition on importing forest reproductive material in respect of certain material from certain third countries (listed in Schedule 13), providing certain conditions are met (regulations 9 and 12);
- (f) addition of phytosanitary certificates and import notifications to the list of documents which must be retained by a registered supplier or other person who undertakes the collecting or production, storage, processing or transportation of forest reproductive material (regulation 10); and
- (g) insertion of new procedural provisions on the period for bringing a prosecution under the Regulations (regulation 11).

A transposition note has been prepared and a copy has been placed in the library of each House of Parliament. Copies can be obtained from Plant Health Division, Defra, Foss House, Kings Pool, Peasholme Green, York YO1 7PX. A full regulatory impact assessment has not been produced for these Regulations as they have no impact on the costs for business.

Changes to legislation:

There are currently no known outstanding effects for the The Forest Reproductive Material (Great Britain) (Amendment) Regulations 2006.