
WELSH STATUTORY INSTRUMENTS

2019 No. 1153 (W. 202)

PLANT HEALTH, WALES

**The Plant Health (Forestry)
(Amendment No. 2) (Wales) Order 2019**

<i>Made</i>	- - - -	<i>18 July 2019</i>
<i>Laid before the National Assembly for Wales</i>	- -	<i>19 July 2019</i>
<i>Coming into force</i>	- -	<i>19 July 2019</i>

The Welsh Ministers, in exercise of the powers conferred by sections 2(1) and 3(1) of the Plant Health Act 1967⁽¹⁾ make the following Order.

Title, commencement and application

1.—(1) This title of this Order is the Plant Health (Forestry) (Amendment No. 2) (Wales) Order 2019 and it comes into force on 19 July 2019.

(2) This order applies in relation to Wales.

Amendment of the Plant Health (Forestry) Order 2005

2. In the table in Part C of Schedule 4 to the Plant Health (Forestry) Order 2005⁽²⁾, in item 7E, in the entry in the third column;

- (1) at the end of paragraph (a) after the semi colon insert “or”;
- (2) at the end of paragraph (b) after the semi colon insert “or”;
- (3) omit paragraph (c).

(1) [1967 c.8](#). The powers conferred by sections 2(1) and 3(1) are conferred on a “competent authority” which is defined in section 1(2) for Wales, as the Welsh Ministers. Section 1(2) was amended by paragraph 43 of Schedule 2 to the Natural Resources Body for Wales (Functions) Order 2013 ([S.I. 2013/755 \(W. 90\)](#)). Section 2 was amended by paragraph 8(2)(a) of Schedule 4 to the European Communities Act 1972 ([c. 68](#)), Part 1 of the table in paragraph 12 of Schedule 4 to the Customs and Excise Management Act 1979 ([c. 2](#)) and [S.I. 1990/2371](#) and [2011/1043](#). Sections 2(1) and 3(1) were amended by paragraph 8 of Schedule 4 to the European Communities Act 1972 ([c. 68](#)). Section 3(1) was also amended by [S.I. 2011/1043](#), article 6.

(2) [S.I. 2005/2517](#)

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

18 July 2019

Lesley Griffiths
Minister for Environment, Energy and Rural
Affairs, one of the Welsh Ministers

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Plant Health (Forestry) Order 2005 ([S.I. 2005/2517](#)) to introduce emergency measures to prevent—

- (a) the introduction of *Thaumetopoea processionea* L. (the Oak Processionary Moth) into Wales which is recognised as a protected zone for this harmful plant pest (“the protected area”); and
- (b) the spread of this harmful plant pest within the protected area.

It amends the technical requirements that must be satisfied when bringing in certain plants of *Quercus* L., intended for planting, into the protected area or when moving those plants within the protected area.

An impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sector is foreseen.