

GUERNSEY STATUTORY INSTRUMENT

2022 No. 37

**The Plant Health (Preserved Phytosanitary Conditions  
Regulation) (Amendment) (Guernsey) (No.2)  
Regulations, 2022**

<i>Made</i>	<i>16<sup>th</sup> May, 2022</i>
<i>Coming into operation</i>	<i>16<sup>th</sup> May, 2022</i>
<i>Laid before the States</i>	

**THE COMMITTEE FOR THE ENVIRONMENT & INFRASTRUCTURE**, in exercise of the powers conferred on it by Article 108 of Preserved Regulation (EU) 2016/2031 of the European Parliament and of the Council on protective measures against pests of plants<sup>a</sup>, and all other powers enabling it in that behalf, hereby makes the following Regulations:-

**Amendment of the Preserved Phytosanitary Conditions Regulation.**

1. The Preserved Phytosanitary Conditions Regulation is amended, insofar as it applies to Guernsey, as follows.

2. In Annex 7, in Part A in the table, in entry 57 –

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<sup>a</sup> PEUL (BoG) (RG) 2016/2031; this enactment has been amended insofar as it applies to Guernsey; see also regulation 8 of G.S.I. No. 153 of 2020 which makes provision in relation to the citation of Preserved EU law

- (a) in the first column, delete "for planting",
- (b) in the third column, in point (b), immediately before point (c), insert "or", and
- (c) in the third column, delete point (c).

**Interpretation.**

3. In these Regulations, "the Preserved Phytosanitary Conditions Regulation" means the item of Preserved EU law entitled Preserved Commission Implementing Regulation (EU) 2019/2072 establishing uniform conditions for the implementation of Preserved Regulation (EU) 2016/2031 of the European Parliament and the Council, as regards protective measures against pests of plants<sup>b</sup>.

**Extent.**

4. These Regulations have effect in the islands of Guernsey, Herm and Jethou.

**Citation.**

5. These Regulations may be cited as the Plant Health (Preserved Phytosanitary Conditions Regulation) (Amendment) (Guernsey)(No. 2) Regulations, 2022.

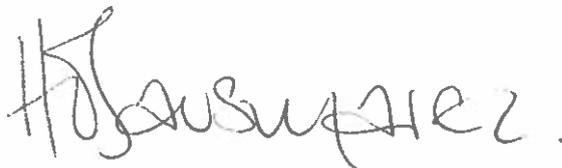
**Commencement.**

6. These Regulations shall come into force on the 16<sup>th</sup> May, 2022.

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<sup>b</sup> PEUL (BoG) (IR) 2019/2072; this enactment has been amended, insofar as it applies to Guernsey; see also regulation 8 of G.S.I. No. 153 of 2020 which makes provision in relation to the citation of Preserved EU law.

Dated this 16<sup>th</sup> day of May, 2022



H. L. DE SAUSMAREZ

President of the States Committee for the Environment & Infrastructure

For and on behalf of the Committee

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EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations make further amendments to the Preserved Phytosanitary Conditions Regulation which has effect in Guernsey as preserved EU law.

The amendments are made to align with amendments made in Great Britain, as, from the end of 2020, Guernsey has been part of a Great Britain and Crown Dependency market in plants and plant products.

These Regulations amend the requirements under Annex 7 to the Preserved Phytosanitary Conditions Regulation that prevent the introduction of the plant pest *Thaumetopoea pityocampa* (Denis & Schiffermüller) ("pine processionary moth") into Guernsey, or the introduction of the hosts of this pest: *Cedrus* Trew and *Pinus* L, originating from any third country. They mirror urgent recent amendments in the UK to respond to recent incidents of the pest found on imported plants.

In particular, the description of plants to which the requirements apply is amended so it does not just apply to plants for planting but to plants generally; the option of having an official statement that plants have been produced in nurseries which have been found free of pine processionary moth on the basis of official inspections and official

surveys is removed. These changes are to reduce the risk of pests arising from cut trees.

These Regulations shall come into force on 16<sup>th</sup> May, 2022.