

GUERNSEY STATUTORY INSTRUMENT

2024 No. 31

**The Plant Health (Amendment of Transitional
Provision) (Guernsey) Regulations, 2024**

<i>Made</i>	<i>4th March, 2024</i>
<i>Coming into operation</i>	<i>4th March, 2024</i>
<i>Laid before the States</i>	<i>, 2024</i>

THE COMMITTEE FOR THE ENVIRONMENT & INFRASTRUCTURE, in exercise of the powers conferred upon 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^a, and all other powers enabling it in that behalf, hereby makes the following Regulations:-

Amendment of the 2020 Regulations.

1. (1) The Plant Health (Brexit) (Guernsey) Regulations, 2020^b are amended as follows.

^a 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.

^b G. S. I. No. 130 of 2020; this enactment has been amended.

(2) In regulation 6 (transitional provision: plants, plant products and other objects from EU Member states) –

(a) for paragraph (1), substitute the following –

"(1) This regulation applies to plants, plant products and other objects which -

(a) originate in, or are dispatched from, an EU Member State, Liechtenstein or Switzerland, and

(b) are introduced into Guernsey on or after 4th March, 2024 and ending on 29th April 2024.",

(b) in paragraph (2), for subparagraph (a), substitute the following –

"(a) Article 72(1) of the Preserved PHR does not apply in relation to plants which –

(i) are of a kind not listed in Schedule 4, and

(ii) meet the conditions specified in paragraph (2A) or (2B), and",

(c) after paragraph (2), insert the following –

"(2A) The conditions specified in this paragraph are that the plants -

(a) are introduced into Guernsey as part of a traveller's personal luggage, and

(b) are not to be used for professional or commercial purposes.

(2B) The condition specified in this paragraph is that the plants are of a category specified in column 1, and of a description specified in the corresponding entry in column 2, of the table in Schedule 4A.

(2C) Article 72(1) does not apply in relation to plants, plant products or other objects of a kind other than those listed in Schedule 4 which are dispatched from an EU Member State, Liechtenstein or Switzerland before 4th March 2024.",

(d) paragraph (3) is deleted.

(3) After Schedule 4, insert the Schedule 4A set out in the Schedule to these Regulations.

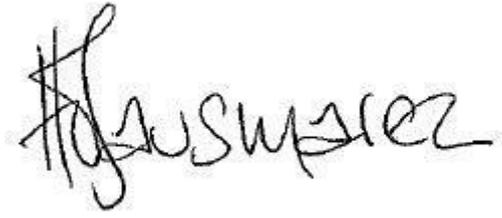
Citation and commencement.

2. These Regulations may be cited as the Plant Health (Amendment of Transitional Provision) (Guernsey) Regulations, 2024.

Commencement.

These Regulations shall come into force on 4th March 2024.

Dated this 4th day of March 2024

A handwritten signature in black ink, appearing to read "H. L. De Saumarez". The signature is written in a cursive, somewhat stylized font.

H. L. DE SAUSMAREZ

President of the Committee *for the* Environment & Infrastructure

For and on behalf of the Committee

SCHEDULE

Regulation 1(3)

"SCHEDULE 4A

TRANSITIONAL PROVISION: PLANTS TO WHICH ARTICLE 72(1) DOES NOT
APPLY

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
<i>Category of plants</i>	<i>Description of plants</i>	<i>Entry number in the table in Part A of Annex 11 to the Preserved Phytosanitary Conditions Regulation corresponding to the category of plants in Column 1 of this table</i>
Root and tubercle vegetables	Carrots, turnips, salad beetroot, salsify, celeriac, radishes and similar edible roots, fresh or chilled. Other root and tubercle vegetables, fresh or chilled. Manioc, arrowroot, salep, Jerusalem artichokes, sweet potatoes and similar roots and tubers with high starch or inulin content, fresh, chilled, not frozen or dried, not sliced or in the form of pellets. Ginger, saffron, turmeric (curcuma), and other spices, in the form of root	5

	or tubercle plant parts, fresh or chilled.	
	Sugar beet, not ground, fresh or chilled.	
	Chicory roots, fresh or chilled.	
	Other root and tubercle vegetables, fresh or chilled.	
	Swedes, mangolds, fodder roots, similar forage products, not in the form of pellets, fresh or chilled.	
Parts of plants, other than fruit and seeds of:		
<i>Zea mays</i> L.	Other vegetables, fresh or chilled: Sweetcorn	8
Leafy vegetables of <i>Apium graveolens</i> L., <i>Eryngium</i> Tournier ex Linnaeus, <i>Limnophila</i> R.Br. and <i>Ocimum</i> L.	Other vegetables, fresh or chilled. Parts of plants (other than fruit and seeds), of a kind used primarily in perfumery, in pharmacy or for insecticidal, fungicidal or similar purposes, fresh, chilled, crushed or powdered. Vegetable products not elsewhere specified or included, fresh or chilled.	10
Leaves of <i>Manihot esculenta</i> Crantz	Leaves of cassava (<i>Manihot esculenta</i>), fresh or chilled.	11

	Vegetable products of cassava (<i>Manihot esculenta</i>), not elsewhere specified or included, fresh or chilled.	
Fruits of:		
<i>Momordica</i> L. and Solanaceae Juss.	Tomatoes, fresh or chilled.	19
	Other vegetables, of Solanaceae, fresh or chilled.	
	Other fruit, fresh or chilled.	
<i>Carica papaya</i> L., <i>Cydonia</i> Mill., <i>Fragaria</i> L., <i>Malus</i> Mill., <i>Persea americana</i> Mill., <i>Prunus</i> L., <i>Pyrus</i> L., <i>Ribes</i> L., <i>Rubus</i> L., <i>Syzygium</i> Gaertn., <i>Vaccinium</i> L. and <i>Vitis</i> L.	Avocados, fresh or chilled.	20
	Grapes, fresh or chilled.	
	Papaws (papayas) fresh or chilled.	
	Apples, pears and quinces, fresh or chilled.	
	Apricots, cherries, peaches (including nectarines), plums and sloes, fresh or chilled.	
	Strawberries, fresh or chilled.	
	Raspberries, blackberries and loganberries, fresh or chilled.	

Black, white or red
currants and
gooseberries, fresh or
chilled.

Cranberries, bilberries,
and other fruit of the
genus *Vaccinium*, fresh
or chilled.

Other, fresh or chilled.

3.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the transitional provision in regulation 6 of the Plant Health (Brexit) (Amendment) (Guernsey) Regulations, 2020 ("**the 2020 Regulations**") which makes transitional provision in relation to phytosanitary certificates to accompany certain plants and plant products imported into Guernsey from EU Member States. The provision extends the transitional provision relating to plants etc. from the EU to 29th April 2024. This is consistent with an extension made to the equivalent transitional provision in Great Britain.

Regulation 1(3) inserts Schedule 4A into the 2020 Regulations. From 4th March 2024, plants, plant products and other objects imported into Guernsey from an EU Member State, Liechtenstein or Switzerland will require a phytosanitary certificate unless now exempted under regulation 6 of the 2020 Regulations, as amended.

These Regulations come into force on the 4th March 2024.