

2007 No. 1941

PESTICIDES, ENGLAND AND WALES

**The Plant Protection Products (Amendment) (No.2) Regulations
2007**

Made - - - - *9th July 2007*

Laid before Parliament *10th July 2007*

Laid before the National Assembly for Wales *10th July 2007*

Coming into force - - *1st August 2007*

The Secretary of State and the Welsh ministers are designated(a) for the purposes of section 2(2) of the European Communities Act 1972(b), as read with paragraph 1A of Schedule 2 to that Act(c), in relation to the common agricultural policy.

The Regulations make provision for a purpose mentioned in that section and it appears to the Secretary of State and to the Welsh Ministers that it is expedient for the reference to Council Directive 91/414/EEC, concerning the placing of plant protection products on the market(d), to be construed as a reference to that instrument as amended from time to time.

Acting jointly, the Secretary of State and the Welsh Ministers (the Welsh Ministers acting in relation to Wales only), in exercise of the powers conferred on them by that section, make the following Regulations.

Title and commencement

1. These Regulations may be cited as the Plant Protection Products (Amendment) (No.2) Regulations 2007 and come into force on 1st August 2007.

Amendments

2. In the Plant Protection Products Regulations 2005(e)—

(a) In paragraph (1) of regulation 2 (interpretation), for the definition of “the Directive” substitute—

(a) In relation to England, S.I. 1972/1811. In relation to Wales, S.I. 2005/2766 (as amended by S.I. 2006/3329) and section 162 of, and paragraphs 30 to 32 of Schedule 11 to, the Government of Wales Act 2006 (c.32). Welsh Ministers must make regulations in respect of this matter jointly with the Secretary of State where they contain measures relating to the placing on the market or use of plant protection products: see Article 4 of, and Schedule 3 to, S.I. 2005/2766.

(b) 1972 c.68.

(c) Paragraph 1A of Schedule 2 was inserted by section 28 of the Legislative and Regulatory Reform Act 2006 (c.51).

(d) OJ No. L 230, 19.8.1991, p. 1.

(e) S.I. 2005/1435, amended by SI. 2005/3197, S.I. 2006/1295, S.I. 2006/2933 and S.I. 2007/636.

““the Directive” means Council Directive 91/414/EEC concerning the placing of plant protection products on the market(a);” and

(b) omit Schedule 1 (instruments amending Council Directive 91/414/EEC).

26th June 2007 *Jane Davidson*
Minister for Sustainability and Rural Development, one of the Welsh Ministers

9th July 2007 *Phil Woolas*
Minister of State
Department for Environment, Food and Rural Affairs

(a) OJ No. L 230, 19.8.1991, p. 1, as read with corrigenda published in OJ No. L170, 25.6.92, p.40.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Plant Protection Products Regulations 2005 (S.I. 2005/1435) which implement in England and Wales Council Directive 91/414/EEC concerning the placing of plant protection products on the market (OJ No. L230, 19.8.91, p.1).

A new definition for that Directive is substituted to the effect that references to that Directive are references to it as amended from time to time. Schedule 1 to the Regulations, which sets out the instruments that amend that Directive, is revoked.

A full impact assessment has not been produced for this instrument as no impact on the private or voluntary sectors is foreseen.

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