

**EUROPEAN COMMUNITIES (FOREST REPRODUCTIVE MATERIAL)
REGULATIONS 1973**

I, TOM FITZPATRICK, Minister for Lands, in exercise of the powers conferred on me by section 3 of the European Communities Act, 1972 (No. 27 of 1972), hereby make the following regulations:

REG 1

1. These Regulations may be cited as the European Communities (Forest Reproductive Material) Regulations, 1973, and shall come into operation on the 1st day of July, 1973.

REG 2

2. In these Regulations—

"authorised officer" means an officer of the Minister authorised in writing by the Minister for the purposes of these Regulations;

"the Minister" means the Minister for Lands;

"National Catalogue" has the meaning specified in Regulation 3 (1);

"reproductive material" and "basic material" have the meanings appropriate in accordance with the scheduled directives;

"scheduled directives" means the Council Directives specified in the Schedule to these Regulations;

any reference to marketing is to displaying for sale, putting up for sale, sale, or delivery to a person other than the seller.

REG 3

3. (1) The Minister shall maintain a catalogue (which shall be known as the National Catalogue of Forest Basic Material and is in these Regulations referred to as the National Catalogue) of approved forest basic material in the State.

(2) There shall be registered in the National Catalogue—

(a) basic material in the State approved of by the Minister in accordance with the criteria given in the scheduled directives,

(b) such particulars with respect to the basic material registered as the Minister considers proper.

(3) The first entries in the National Catalogue shall be the basic material included in the lists of basic material in the State standing prepared at the instance of the Minister immediately before the commencement of these Regulations, being material approved of by the Minister in accordance with the criteria given in the scheduled directives.

REG 4

4. Reproductive material shall not be marketed unless it is material derived from basic material registered in the National Catalogue or is imported material.

REG 5

5. The following requirements shall apply in relation to reproductive material which is marketed:

- (a) the material shall be marketed in conformity with the criteria given in the scheduled directives,
- (b) the material shall remain source identified from collection to delivery to the final consumer,
- (c) the material shall during collection, processing, storing, transport and raising be kept in lot separated and identified in accordance with the criteria given in the scheduled directives.

REG 6

6. Reproductive material shall not be imported unless it is accompanied by a certificate conforming to the requirements of the scheduled directives and a copy of the certificate is furnished to the Minister on importation.

REG 7

7. A person who carries on the business of marketing reproductive material shall keep records of his transactions in the course of the business and shall at all reasonable times—

- (a) produce at the request of an authorised officer any such records or any books, documents or other records relating to the business which are in the possession of such person, permit the officer to inspect and take extracts from such books, documents or records and give to the officer any information which he may reasonably require in relation to any entries therein,
- (b) afford to an authorised officer reasonable facilities for the inspection, sampling and taking stock of any reproductive material on any premises on which such person carries on the business,
- (c) give to an authorised officer any information which he may reasonably require in relation to such transactions

REG 8

8. The Minister shall furnish an authorised officer with a certificate of his appointment and, when exercising any powers conferred by these Regulations, the officer shall, if requested by any person affected, produce the certificate to that person.

REG 9

9. (1) A person who contravenes Regulation 4, 5, 6 or 7 shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding £200.

(2) An offence under these Regulations may be prosecuted by the Minister.

SCHEDULE

Directives

No. 66/404/EEC of 14 June, 1966
as modified by

No. 69/64/EEC of 18 February, 1969

No. 71/161/EEC of 30

March, 1971 OJ No. L87, 17 April, 1971, p. 14

OJ No. 125, 11 July, 1966, p. 2326/66

OJ No. 148, 26 February, 1969, p. 122.

GIVEN under my Official Seal, this 22nd day of June, 1973.

TOM FITZPATRICK,

Minister for Lands.

EXPLANATORY NOTE.

The Regulations provide that the Minister for Lands shall maintain, in accordance with the scheduled directives, a National Catalogue of approved forest basic material and that no reproductive material (seeds, parts of plants, young plants) may be marketed unless derived from such basic material. It is provided also that reproductive material may not be imported unless in accordance with the requirements of the scheduled directives.