

2014 No. 2875

PLANT HEALTH, ENGLAND

**The Plant Health (*Phytophthora kernovii* Management Zone)
(England) (Revocation) Order 2014**

<i>Made</i>	- - - -	<i>17th October 2014</i>
<i>Laid before Parliament</i>		<i>30th October 2014</i>
<i>Coming into force</i>	- -	<i>1st December 2014</i>

The Secretary of State, in exercise of the powers conferred by sections 3(1), (2) and (4) and 4(1) of the Plant Health Act 1967(a) and now vested in the Secretary of State(b), and the Forestry Commissioners, in exercise of the powers conferred on them by those sections, make this Order.

Title and commencement

1. This Order may be cited as the Plant Health (*Phytophthora kernovii* Management Zone) (England) (Revocation) Order 2014 and comes into force on 1st December 2014.

Revocation

2. The Plant Health (*Phytophthora kernovii* Management Zone) (England) Order 2004(c) is revoked.

	<i>de Mauley</i>
	Parliamentary Under Secretary of State
14th October 2014	Department for Environment, Food and Rural Affairs

	<i>Wilma Harper</i>
	Secretary to the Forestry Commissioners
17th October 2014	

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- (a) 1967 c.8. Section 3(1) was amended by the European Communities Act 1972 (c.68), Schedule 4, paragraph 8(1) and (2)(a) and (b) and by S.I. 2011/1043, article 6(1). Section 3(2) was amended by the European Communities Act 1972, Schedule 4, paragraph 8(1) and (3). Section 3(4) was substituted by the Criminal Justice Act 1982 (c.48), section 42 and amended by the Statute Law (Repeals) Act 1993 (c.50). Section 4(1) was amended by the European Communities Act 1972, Schedule 4, paragraph 8(1) and (3). The powers conferred by sections 3 and 4 are conferred on a “competent authority”, which is defined in section 1(2) for England as regards the protection of forest trees and timber from attack by pests, as the Forestry Commissioners and otherwise for England, as the Secretary of State.
- (b) The functions of the Minister of Agriculture, Fisheries and Food under the Plant Health Act 1967 were, so far as exercisable in relation to Wales, transferred to the Secretary of State by article 2 of, and Schedule 1 to, the Transfer of Functions (Wales) (No.1) Order 1978 (S.I. 1978/272). Those functions were transferred from the Secretary of State to the National Assembly for Wales by article 2 of, and Schedule 1 to, the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672). The functions of the National Assembly for Wales were transferred to the Welsh Ministers by section 162 of, and paragraph 30 of Schedule 11 to, the Government of Wales Act 2006 (c.32). The remaining functions of the Minister of Agriculture, Fisheries and Food were transferred to the Secretary of State by article 2(2) of the Ministry of Agriculture, Fisheries and Food (Dissolution) Order 2002 (S.I. 2002/794).
- (c) S.I. 2004/3367.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order revokes the Plant Health (*Phytophthora kernovii* Management Zone) (England) Order 2004 (S.I. 2004/3367).

An impact assessment has not been produced for this instrument as no impact on business or the private or voluntary sector is foreseen. The Explanatory Memorandum for this instrument is available alongside the instrument at www.legislation.gov.uk.

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