

Suppliment tal-Gazzetta tal-Gvern ta' Malta, Nru. 19,474, 15 ta' Settembru, 2015
Taqsim B

L.N. 293 of 2015

**PLANT QUARANTINE ACT
(CAP. 433)**

**Plant Quarantine (Harmful Organisms)
(Amendment) Regulations, 2015**

IN exercise of the powers conferred by article 32 of the Plant Quarantine Act, the Minister for Sustainable Development, the Environment and Climate Change, in conjunction with the Parliamentary Secretary for Agriculture, Fisheries and Animal Rights, has made the following regulations:-

1. (1) The title of these regulations is the Plant Quarantine (Harmful Organisms) (Amendment) Regulations, 2015, and these regulations shall be read and construed as one with the Plant Quarantine (Harmful Organisms) Regulations, hereinafter referred to as "the principal regulations".

Citation and scope.

S.L. 433.03

(2) These regulations transpose Commission Implementing Decision 2014/924/EU of 16 December 2014 providing for a derogation from certain provisions of Council Directive 2000/29/EC as regards wood and bark of ash (*Fraxinus* L.) originating in Canada and the United States of America.

3. Immediately after regulation 4L of the principal regulations, there shall be added the following new regulation:

Adds new regulation to the principal regulations.

"Authorisation for derogation, Commission Implementing Decision 2014/924/EU.

4M. (1) By way of derogation from Article 5(1) of Directive 2000/29/EC in conjunction with points 2.3, 2.4, and 2.5 of Section I of Part A of Annex IV to that Directive, for the period starting from the seventh of January 2015 and expiring on the thirty-first of December 2015, the competent authority is hereby providing for derogations allowing the introduction into Malta wood and isolated bark of ash (*Fraxinus* L.), originating in Canada and the United States of America, which satisfy the conditions set out in the Annex to Commission Implementing Decision 2014/924/EU.

(2) By way of derogation from Article 5(1) of Directive 2000/29/EC in conjunction with point 2.5 of Section I of Part A of Annex IV to that Directive, for the period starting from the seventh of January 2015 and expiring on the thirty-first of December 2015, the competent authority is hereby providing for derogations allowing the introduction into Malta of objects made of bark ash (*Fraxinus* L.), originating in Canada and the United States of America, which satisfy the conditions set out in point (4) of the Annex to Commission Implementing Decision 2014/924/EU.

(3) The phytosanitary certificate, as set out in Article 13(1)(ii) of Directive 2000/29/EC, shall be issued in either Canada or the United States of America. It shall include under the "Additional declaration" the following elements:

(a) a statement "In accordance with EU requirements laid down in Commission Implementing Decision 2014/924/EU";

(b) where applicable, an indication of which condition is satisfied as set out in point (1), (2) or (3) of the Annex to Commission Implementing Decision 2014/924/EC;

(c) where applicable, the name of the pest free area within the meaning of points (1), (2) or (3) of the Annex to Commission Implementing Decision 2014/924/EC.

(4) The Director shall notify the Commission and other Member States of each consignment introduced into Malta pursuant to Commission Implementing Decision 2014/924/EU which were found not to comply with the conditions set out in the Annex to the said Decision:

Provided that the notification shall take place not later than three working days after the date of the interception of such a consignment."

