

STATUTORY INSTRUMENTS

S.I. No. 124 of 2006

European Communities (Seed Potatoes) (Amendment) Regulations 2006

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European Communities (Seed Potatoes) (Amendment) Regulations 2006

I, Mary Coughlan, Minister for Agriculture and Food, in exercise of the powers conferred on me by section 3 of the European Communities Act 1972 (No. 27 of 1972) and for the purpose of giving effect to Council Directive 2002/56/EC of 13 June 2002¹ hereby make the following Regulations:

1. (1) These Regulations may be cited as the European Communities (Seed Potatoes) (Amendment) Regulations 2006.
2. In these Regulations:

“Principal Regulations” means the European Communities (Seed Potatoes) Regulations 1980 (S.I. No. 343 of 1980);

“Regulations of 1999” means the European Communities (Seed Potatoes) (Amendment) Regulations 1999 (S.I. No. 381 of 1999).
3. Regulation 5 of the Principal Regulations (inserted by the Regulations of 1999) is hereby amended by substituting for paragraph 3(b) the following paragraph:

“(b) Whenever the certifying authority accepts an application to become a producer of certified basic seed potatoes, the certifying authority shall allocate to the person concerned an official registration number. The certifying authority may subsequently allocate a different registration number to the person concerned by means of a notice in writing to that person. Thereafter, the most recently allocated registration number shall be that person’s identification number and shall be used as the reference number on any crop approval certificate issued and on the official labels attached to or inside the packages or containers of certified seed potatoes.”
4. (1) The Principal Regulations are amended by insertion of the following Regulation after Regulation 13:

“13(A). (1) The Minister may, by instrument in writing, appoint such and so many persons as he or she thinks fit to be authorised officers for the purposes of some or all of these Regulations as may be specified in the instrument.

(2) An authorised officer shall be furnished with a certificate of his or her appointment as an authorised officer and when exercising any powers conferred on him or her by these Regulations shall, if requested by any person affected, produce the certificate to that person.

¹ OJ L 193, 20.7.2002, p.60

(2) Regulation 15(5) of the Principal Regulations (inserted by the Regulations of 1999) is hereby revoked.”

5. Regulation 17 of the Principal Regulations (inserted by the Regulations of 1999) is hereby amended by substituting for paragraph (2) the following paragraph:

“(2) A person guilty of an offence under these Regulations shall be liable on summary conviction to a fine not exceeding €3,000 or up to six months imprisonment or both.”

L. S. Given under my Official Seal,
9 March 2006

Mary Coughlan
Minister for Agriculture and Food.

Explanatory Note

(This is not part of the instrument and does not purport to be a legal instrument)

These Regulations provide for the allocation of alternative official registration numbers to growers, the appointment of authorised officers and updated penalties for offences.