
STATUTORY INSTRUMENTS

1993 No. 1283

The Plant Health (Forestry) (Great Britain) Order 1993

Miscellaneous provisions as to notices

23.—(1) A notice served under paragraph (1) or (2) of article 21 may specify one or more requirements or alternative requirements.

(2) A notice served under paragraph (1)(c) or (2)(i) of article 21 (requiring any tree pest or relevant material to be treated, re-exported, destroyed or otherwise disposed of) may contain provisions deferring the treatment, re-exportation, destruction or disposal for such period and subject to such conditions, if any, as may be specified in the notice.

(3) Where the treatment, re-exportation, destruction or disposal of any tree pest or relevant material has been deferred under paragraph (2) of this article, the person on whom the notice is served shall be permitted, within the period specified in the notice, to treat, re-export, destroy or otherwise dispose of the tree pest or relevant material. If the person on whom the notice is served fails to treat, re-export, destroy or dispose of the tree pest or relevant material within the period specified in the notice to the satisfaction of an inspector, the treatment, re-exportation, destruction or disposal required by the notice shall be carried out by that person within two days following the expiry of the period specified in the notice or within such shorter or longer period as may be specified in writing by an inspector.

(4) Any treatment, re-exportation, destruction or disposal required by a notice served under article 21 shall be carried out by the person on whom the notice is served to the satisfaction of an inspector from or at a place designated by an inspector and, except with the written authority of an inspector or any other officer of the Commissioners, no tree pest or relevant material shall be moved otherwise than directly from or to such a place.

(5) An inspector may amend or withdraw a notice served by an inspector under this Order, or having effect as if so served, by a further notice served on the person on whom the original notice was served or on the person who is the occupier or in charge of the premises in respect of which the further notice is intended to be served. The amendment or withdrawal of a notice may be subject to such conditions, if any, as the inspector considers expedient to impose for the purpose of preventing the introduction or spread of any tree pest or re-infection with or re-infestation by the tree pest to which the original notice relates.

(6) A notice under this Order may be served on any person—

- (a) by delivering it to him personally;
- (b) by leaving it for him at his last known place of abode or business; or
- (c) by sending it through the post addressed to him at his last known place of abode or business,

and such notice may—

- (i) in the case of a body corporate, be served on the secretary or clerk of that body at the address of the registered or principal office of that body;
- (ii) in the case of a partnership, be served on a partner or person having the control or management of the partnership business or, in Scotland, the firm at the principal office of the partnership.