

**L.N. 99 of 2012****PLANT QUARANTINE ACT  
(CAP. 433)****Plant Quarantine (Harmful Organisms) (Amendment)  
Regulations, 2012**

IN exercise of the powers conferred by article 32 of the Plant Quarantine Act, the Minister for Resources and Rural Affairs has made the following regulations:-

**1.** The title of these regulations is the Plant Quarantine (Harmful Organisms) (Amendment) Regulations, 2012, 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.

S.L. 433.03

**2.** Regulation 3 of the principal regulations shall be amended as follows:

Amendment of regulation 3 of the principal regulations.

(a) immediately after the definition "the Act" there shall be added the following new definition:

" "authorisation" means any authorisation granted under these regulations and, for the purpose of Schedule VIII, it shall mean an authorisation granted for the issue of the Plant Health Clearance Document (PHCD) for any consignment, importation or exportation of plants, plant products or other phytosanitary objects:

Provided that such definition may be amended as the Directorate may from time to time determine;" ; and

(b) immediately after the definition "consignment" there shall be added the following new definition:

" "Customs" means the Comptroller of Customs and includes any officer or employee of his department having the authority to act on his behalf;" .

**3.** Paragraph (c) of regulation 16 of the principal regulations shall be substituted by the following new paragraph:

Amendment of regulation 16 of the principal regulations.

"(c) where it is satisfied that the requirements under regulation 15 have been complied with, the Director shall issue a Plant Health Clearance Document (PHCD) in terms of Schedule VIII. Such document shall contain a document


reference number to be provided by the Directorate. Part A of the document shall be filled by the Customs Department, Part B of the document shall be filled by the inspector and Part C of the document shall be filled by the Directorate accordingly. Without prejudice to what is mentioned in this paragraph, all information provided under Documentary checks, Identity check and Plant Health Check contained under Part B of the Document including the declaration form under point 15 of such Part shall be filled by the inspector followed by his authorisation by means of an official rubber stamp. Upon the granting of the authorisation, one copy of the PHCD shall be forwarded to the Customs, another copy shall be forwarded to the importer and another copy shall be retained by the Directorate."

Substitutes  
Schedule VIII to  
the principal  
regulations.

**4.** Schedule VIII to the principal regulations shall be substituted by the following new Schedule:

"Schedule VIII

Importer

<p><b>GOVERNMENT OF MALTA</b></p>  <p>Ministry for Resources and Rural Affairs</p>	<p><b>Plant Health Directorate - MALTA</b></p> <p><b>PHCD - Plant Health Clearance Document</b></p> <p><b>No:</b> _____</p>
<b>PART A</b>	
<p>1. Identification of Consignment</p> <p>2. Plant, Plant product or other object (Botanical name) _____</p> <p>3. Taric code of the Commodity/ies _____</p> <p>4. Reference number of required Phytosanitary Documentation: _____</p> <p>5. Country of issue: _____ 6. Date of Issue / Examined: _____ / _____</p> <p>7. Distinguishing marks (number, number of packages, amount(weight/units) AWB/BOL</p> <p>Container/s No/s : _____</p> <p>8. Customs Reference No: _____</p>	
<b>PART B</b>	
<p>9. Name and Address of the Importer: _____ <b>MOR</b> Registration number : _____</p> <p>_____</p> <p>_____</p> <p>10. Name and Address of the Exporter _____</p>	
<p><b>11. The consignment contains produce of phytosanitary importance and is subject to an inspection in terms of the Plant Quarantine (Harmful Organism) Regulation (LN 97 of 2004).</b></p>	
<p><b>12. Documentary checks:</b></p> <p>Place / Date: _____</p> <p>Name: _____</p> <p>Signature of Inspector: _____</p> <p><b>13. Identity check:</b></p> <p>Place / Date: _____</p> <p>Name: _____</p> <p>Signature of Inspector: _____</p> <p><b>14. Plant Health Check:</b></p> <p>Place / Date: _____</p> <p>Name: _____</p> <p>Signature of Inspector: _____</p>	<p>Service Stamp</p> <p>_____</p> <p>Service stamp</p> <p>_____</p> <p>Service stamp</p> <p>_____</p>
<p>15. I, _____ hereby declare that the information above is correct, and allow the use of the information within this document for internal purpose of the Directorate.</p> <p>_____</p> <p style="text-align: center;">Signature <span style="margin-left: 200px;">Date</span></p>	
<b>PART C</b>	
<p><b>16. Decision:</b></p> <p>Released <input type="checkbox"/> Not Released <input type="checkbox"/> Destruction <input type="checkbox"/> Appropriate Treatment <input type="checkbox"/></p> <p>Quarantine Period <input type="checkbox"/> Movement outside the EU <input type="checkbox"/> Removal of Infected/Infested part <input type="checkbox"/></p> <p>Remarks: _____</p>	

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## VERŻJONI ELETTRONIKA

