
SCOTTISH STATUTORY INSTRUMENTS

2005 No. 39

PLANT HEALTH

**The Potatoes Originating in Egypt
(Scotland) Amendment Regulations 2005**

Made - - - - 25th January 2005
*Laid before the Scottish
Parliament* - - - - 26th January 2005
Coming into force - - 28th February 2005

The Scottish Ministers, in exercise of the powers conferred by section 2(2) of the European Communities Act 1972⁽¹⁾ and of all other powers enabling them in that behalf, hereby make the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Potatoes Originating in Egypt (Scotland) Amendment Regulations 2005 and shall come into force on 28th February 2005.

Amendment of the Potatoes Originating in Egypt (Scotland) Regulations 2004

2.—(1) The Potatoes Originating in Egypt (Scotland) Regulations 2004⁽²⁾ are amended in accordance with paragraph (2).

(2) In regulation 2 (interpretation), in paragraph (1), at the end of the definition of “the Decision” insert “, as amended by Commission Decision [2004/836/EC](#), amending and correcting Decision [2004/4/EC](#)”⁽³⁾.

Pentland House, Edinburgh
25th January 2005

ROSS FINNIE
A member of the Scottish Executive

(1) [1972 c. 68](#); section 2(2) was amended by the Scotland Act [1998 \(c. 46\)](#), Schedule 8, paragraph 15(3). The function conferred upon the Minister of the Crown under section 2(2) of the European Communities Act 1972, insofar as within devolved competence, was transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998.

(2) [S.S.I. 2004/111](#).

(3) O.J. No. L 360, 7.12.04, p.30.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations implement in Scotland Commission Decision [2004/836/EC](#) (O.J. No. L 360, 7.12.04, p.30) amending Commission Decision [2004/4/EC](#) (“the principal Decision”) (O.J. No. L 2, 6.1.04, p.50) authorising Member States temporarily to take emergency measures against the dissemination of *Pseudomonas solanacearum* (Smith) Smith (now referred to as *Ralstonia solanacearum* (Smith) Yabuuchi et al) as regards Egypt.

The Regulations amend regulation 2(1) of the Potatoes Originating in Egypt (Scotland) Regulations 2004 ([S.S.I. 2004/111](#)). The Regulations insert, into the definition of the principal Decision, Commission Decision [2004/836/EC](#) which amends and corrects the principal Decision (regulation 2). Decision [2004/836/EC](#) renews the framework within which potatoes may be imported from Egypt into the territory of the European Community during the 2004/2005 season.

No Regulatory Impact Assessment has been carried out in respect of the extension of these controls to the 2004/2005 season.