
SCOTTISH STATUTORY INSTRUMENTS

2005 No. 613

The Plant Health (Scotland) Order 2005

PART 9

NOTIFICATIONS, PROVISION AND EXCHANGE OF INFORMATION

Notification of the likely entry into, or presence in, a free zone of plant pests or relevant material

43.—(1) The responsible authority for a free zone who knows or suspects that any of the things to which this article applies is likely to enter, or is present in, such a free zone, shall immediately give notice of that fact to the Scottish Ministers or an inspector and shall as soon as is reasonably practicable after giving such notice confirm it in writing.

(2) This article applies to—

- (a) any plant pest which is of a description specified in Schedule 1 or in column 3 of Schedule 2;
- (b) any plant pest which, although not specified in Schedule 1 or 2, is not normally present in Great Britain and which is likely to be injurious to plants in Great Britain; and
- (c) any relevant material of a description specified in column 2 of Schedule 3 which originates in a country specified in column 3 of that Schedule opposite the reference to that relevant material,

which has been, or is likely to be, landed in Scotland, and has not been cleared out of charge under the Customs Act.

(3) In this article “the responsible authority” and “free zone” have the same meaning as in the Customs Act⁽¹⁾.

(1) See section 100A of the Customs Act which was inserted by the Finance Act 1984 (c. 43), section 8 and Schedule 4, Part 1.