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SCOTTISH STATUTORY INSTRUMENTS

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**2013 No. 366**

**The Plant Health (Scotland) Amendment (No. 3) Order 2013**

**Amendment of article 22 (exceptions from certain prohibitions and requirements)**

**6.** For article 22(1)(1), substitute—

“(1) The following prohibitions and requirements shall not apply to small quantities of the specified relevant material where the relevant material meets the conditions in paragraph (1A)—

- (a) in the case of relevant material, other than plants of *Castanea* Mill., *Fraxinus* L. or *Platanus* L. intended for planting—
  - (i) the prohibitions on landing in articles 19(1)(e), (f) and (g) and 19B(1)(2);
  - (ii) the prohibitions on movement in article 20(1)(e) and (f); and
  - (iii) the requirements in article 21(1), (2), (5) and (6);
- (b) in the case of plants of *Castanea* Mill. intended for planting—
  - (i) the prohibitions on landing in article 19(1)(e), other than the prohibition on the landing of plants of *Castanea* Mill. intended for planting, unless the requirements in column 3 of item 6 of Part A of Schedule 4 have been complied with;
  - (ii) the prohibitions on landing in article 19(1)(f), other than the prohibition on the landing of plants of *Castanea* Mill. intended for planting, unless the requirements in column 3 of item 4 of Part B of Schedule 4 have been complied with; and
  - (iii) the requirements in article 21(1) and (5);
- (c) in the case of plants of *Castanea* Mill. intended for planting which originate in Great Britain and have remained in Great Britain throughout their life—
  - (i) the prohibitions on movement under article 20(1)(e); and
  - (ii) the requirement in article 21(8)(a);
- (d) in the case of plants of *Castanea* Mill. intended for planting which originate in Great Britain, but have not remained in Great Britain throughout their life, the prohibitions on movement under article 20(1)(e), other than the prohibition on the movement of plants of *Castanea* Mill. intended for planting, unless the requirements in column 3 of item 4 of Part B of Schedule 4 have been complied with;
- (e) in the case of plants of *Platanus* L. intended for planting—
  - (i) the prohibitions on landing in article 19(1)(e), other than the prohibition on the landing of plants, other than seeds, of *Platanus* L. intended for planting, unless the requirements in column 3 of item 8 of Part A of Schedule 4 have been complied with;

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(1) Article 22(1) was amended by [S.S.I. 2012/326](#) and [S.S.I. 2013/187](#).

(2) Article 19B was inserted by [S.S.I. 2013/187](#).

- (ii) the prohibitions on landing in article 19(1)(f), other than the prohibition on the landing of plants, other than seeds, of *Platanus* L. intended for planting, unless the requirements in column 3 of item 5 of Part B of Schedule 4 have been complied with; and
    - (iii) the requirements in article 21(1) and (5);
  - (f) in the case of plants of *Platanus* L. intended for planting which originate in Great Britain and have remained in Great Britain throughout their life—
    - (i) the prohibitions on movement in article 20(1)(e); and
    - (ii) the requirement in article 21(8)(b);
  - (g) in the case of plants of *Platanus* L. intended for planting which originate in Great Britain but have not remained in Great Britain throughout their life, the prohibitions on movement under article 20(1)(e), other than the prohibition on the movement of plants, other than seeds, of *Platanus* L. intended for planting unless the requirements in column 3 of item 5 of Part B of Schedule 4 have been complied with.
- (1A) The conditions are that the relevant material—
- (a) does not show any signs of the presence of a plant pest;
  - (b) is not intended for use in the course of a trade or business; and
  - (c) is intended for household use.”.