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SCOTTISH STATUTORY INSTRUMENTS

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**2019 No. 124**

**The Plant Health (EU Exit) (Scotland)  
(Amendment etc.) Regulations 2019**

**PART 3**

**CHAPTER 9**

**Amendment of Part 9**

- 57.** In article 42 (notification of the presence or suspected presence of certain plant pests)—
- (a) in paragraph (1)(1)—
    - (i) for “plant pest to which this article applies” substitute “notifiable plant pest”,
    - (ii) for “such plant pest” in both places it occurs, substitute “such notifiable plant pest”,and
  - (b) for paragraphs (2), (3)(2) and (4) substitute—
    - “(2) In this article, “notifiable plant pest” means—
      - (a) a plant pest, other than a plant pest of a description specified in Schedule 18, which—
        - (i) is a regulated plant pest,
        - (ii) is of a description specified in column 3 of Part B of the list of prohibited infested material and which is present on, or appears to an inspector to have been in contact with, relevant material of a description specified in the entry in respect of that plant pest in column 2 of Part B of the list of prohibited infested material, or
        - (iii) although not a regulated plant pest, is a plant pest not normally present in Great Britain and is likely to be injurious to plants in Great Britain,
      - (b) a plant pest of a description specified in schedule 18 which—
        - (i) is a regulated plant pest,
        - (ii) is a sub-species or strain not normally present in Great Britain and which has been found on any premises, or
        - (iii) is also specified in column 3 of Part A of the list of prohibited infested material and which is present on, or appears to an inspector to have been in contact with, relevant material of a description specified in the entry in respect of that plant pest in column 2 of Part A of that list.”.
- 58.** Omit article 42A (additional requirements on professional operators in respect of *Pseudomonas syringae* pv *actinidiae* Takikawa, Serizawa, Ichikawa, Tsuyumu & Goto)(3).

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(1) Paragraph (1) was partially revoked by [S.S.I. 2006/474](#).  
(2) Paragraph (3) was substituted by [S.S.I. 2007/415](#).  
(3) Article 42A was inserted by [S.S.I. 2018/112](#).

**59.** In article 43(2) (notification of the likely entry into, or presence in, a free zone of plant pests or relevant material)—

(a) for sub-paragraph (a) substitute—

“(a) a regulated plant pest;”,

(b) in sub-paragraph (b) for “specified in Schedule 1 or 2” substitute “a regulated plant pest”, and

(c) in sub-paragraph (c)(4)—

(i) for “Schedule 3” substitute “the list of prohibited material”,

(ii) for “that Schedule” substitute “that list”.

**60.** In article 44 (information to be given)—

(a) in paragraph (2)(b)—

(i) for sub-paragraph (i) substitute—

“(i) a regulated plant pest;”, and

(ii) in sub-paragraph (ii) for “specified in Schedule 1 or 2” substitute “ a regulated plant pest”, and

(b) in paragraph (4) before “plant passports” insert “UK”.

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(4) Sub-paragraph (c) was amended by [S.S.I. 2010/342](#).