
SCOTTISH STATUTORY INSTRUMENTS

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.”.

(1) Paragraph (1) was partially revoked by [S.S.I. 2006/474](#).

(2) Paragraph (3) was substituted by [S.S.I. 2007/415](#).