

SCOTTISH STATUTORY INSTRUMENTS

2019 No. 59

**The Seed and Propagating Material (EU Exit)
(Scotland) (Amendment) Regulations 2019**

PART 3

**AMENDMENT OF SECONDARY LEGISLATION RELATING
TO WITHDRAWAL FROM THE EUROPEAN UNION**

The Seed Potatoes (Scotland) Regulations 2015

16.—(1) The Seed Potatoes (Scotland) Regulations 2015 ^{M1} are amended as follows.

(2) In regulation 2(1) (interpretation)—

[^{F1}(za) after the definition of “agricultural unit” insert—

““applicable GB grade” means—

- (a) in relation to seed potatoes produced in Scotland, the GB grade determined in respect of those seed potatoes under regulation 8(2)(a) or, as the case may be, under regulation 15(2), and—
 - (i) in the case of pre-basic seed potatoes, means GB grade PBTC or GB grade PB;
 - (ii) in the case of basic seed potatoes, means GB grade S, GB grade SE, or GB grade E;
- (b) in relation to seed potatoes produced in a part of Great Britain other than Scotland, the GB grade determined in accordance with the relevant seed potatoes regulations,

and references in these Regulations to “GB grade PBTC”, “GB grade PB”, “GB grade S”, “GB grade SE” and “GB grade E” are to be construed accordingly;”]

(a) in the definition of “applicable Union grade”—

- (i) omit sub-paragraph (a),
- (ii) in sub-paragraph (b), for “outside Scotland” substitute “ in [^{F2}Northern Ireland] ”,
- (iii) omit “in relation to both cases as mentioned in paragraph (a) and (b)”,

^{F3}(b)

(c) in the definition of “basic seed potatoes”, in sub-paragraph (b), for the words from “in accordance” to the end substitute—

“, stating that on examination of the potatoes they were certified as basic seed potatoes and that they have fulfilled the applicable requirements for the grade, in accordance with—

- (i) in the case of seed potatoes produced in [^{F4}Great Britain], the relevant seed potatoes regulations;

- (ii) in the case of seed potatoes produced in a Crown Dependency [^{F5}or a country granted equivalence], legislation recognised by the Scottish Ministers as having equivalent effect to regulation 10(1)(b) and paragraphs 2 and 4 of Schedule 5;
- (iii) ^{F6} ... ,
- [^{F7}(ca) omit the definition of “Common Catalogue”,
- (cb) after the definition of “Council Directive 2002/56/EC” insert—
 - ““country granted equivalence” means a country that has been assessed by Scottish Ministers as producing seed potatoes under conditions equivalent to those required by these Regulations;”]
- (d) after the definition of “crop inspection report” insert—
 - ““Crown Dependency” means the Isle of Man and any of the Channel Islands;”,
- [^{F8}(da) after the definition of “declared net weight” insert—
 - ““DAERA” means the Department of Agriculture, Environment and Rural Affairs in Northern Ireland;”,]
- [^{F9}(e) after the definition of “Directive 2001/18/EC” insert—
 - ““equivalent grade” means—
 - (a) for Northern Ireland, an equivalent Union grade;
 - (b) for a Crown Dependency or a country granted equivalence, a grade recognised by Scottish Ministers as being equivalent to a GB grade;
 - “equivalent Union grade” means—
 - (a) for “GB grade PBTC”, “Union grade PBTC”;
 - (b) for “GB grade PB”, “Union grade PB”;
 - (c) for “GB grade S”, “Union grade S”;
 - (d) for “GB grade SE”, “Union grade SE”;
 - (e) for “GB grade E”, “Union grade E”;”,]
- (f) after the definition of “genetically modified” insert—
 - “the GMO Regulations” means—
 - (a) in relation to Scotland, the Genetically Modified Organisms (Deliberate Release) (Scotland) Regulations 2002 ^{M2},
 - (b) in relation to England, the Genetically Modified Organisms (Deliberate Release) Regulations 2002 ^{M3},
 - (c) in relation to Wales, the Genetically Modified Organisms (Deliberate Release) (Wales) Regulations 2002 ^{M4},
 - (d) in relation to Northern Ireland, the Genetically Modified Organisms (Deliberate Release) Regulations (Northern Ireland) 2003 ^{M5};”,
- [^{F10}(g) for the definition of “grade” substitute—
 - ““grade” includes the GB grade;
 - “GB Variety List” means a list of varieties of potato species prepared and published in accordance with regulation 3 of the National Lists Regulations;”,
- (ga) omit the definition of “National List”,
- (gb) after the definition of “National Lists Regulations” insert—

““NI Variety List” means a list of plant varieties prepared and published by DAERA in accordance with legislation having equivalent effect in Northern Ireland to the Seeds (National Lists of Varieties) Regulations 2001;”]

(h) for the definition of “official document” substitute—

““official document” means—

- (a) in the case of seed potatoes produced in Scotland, a document issued or approved by the Scottish Ministers, which meet the requirements of schedule 5A;
- (b) in the case of seed potatoes produced outside Scotland, a document issued or approved by the relevant authority in the country or territory where the seed potatoes were produced, which meets the requirements of—

- (i) in the case of seed potatoes produced in [F11Great Britain], the relevant seed potatoes regulations;

- (ii) in the case of seed potatoes produced in a Crown Dependency [F12or a country granted equivalence], legislation recognised by the Scottish Ministers as having equivalent effect to the requirements of schedule 5A;

[F13(iii)”,

(i) in the definition of “official label”, for sub-paragraph (b) substitute—

“(b) in the case of seed potatoes produced outside Scotland, a label approved by the relevant authority in the country or territory where the seed potatoes were produced and which meets, as appropriate to the seed potatoes to which the label relates, the requirements of—

- (i) in the case of seed potatoes produced in [F14Great Britain], the relevant seed potatoes regulations;

- (ii) in the case of seed potatoes produced in a Crown Dependency [F15or a country granted equivalence], legislation recognised by the Scottish Ministers as having equivalent effect to the requirements of regulation 10 and schedule 5;

[F16(iii)”,

[F17(j) for the definition of “outside Scotland” substitute—

““outside Scotland”, in relation to the place of production of seed potatoes means—

- (a) any part of the British Islands other than Scotland; or
- (b) a country granted equivalence;”]

(k) in the definition of “pre-basic seed potatoes”, in sub-paragraph (b), for the words “Article 18(f)” to the end substitute—

“the requirements of—

- (i) in the case of seed potatoes produced in [F18Great Britain], the relevant seed potatoes regulations;

- (ii) in the case of seed potatoes produced in a Crown Dependency [F19or a country granted equivalence], legislation recognised by the Scottish Ministers as having equivalent effect to the requirements of regulation 10(1)(a) and paragraphs 1 and 4 of Schedule 5;

(iii) [F20...”,

(l) in the definition of “relevant authority”, omit “for the purposes of Council Directive 2002/56/EC”,

- (m) after the definition of “relevant authority”, insert—
- ““the seed potatoes regulations” means—
- (a) in relation to England, the Seed Potatoes (England) Regulations 2015 ^{M6};
 - (b) in relation to Wales, the Seed Potatoes (Wales) Regulations 2016 ^{M7};
 - (c) in relation to Northern Ireland, the Seed Potatoes Regulations (Northern Ireland) 2016 ^{M8}, and “the relevant seed potatoes regulations”, in relation to any constituent part of the United Kingdom, means the seed potatoes regulations applicable in relation to that part.”
- (n) in the definition of “scientific and selection seed potatoes”, in sub-paragraph (b), for the words “Article 6(1)(a)” to the end substitute—
- “the requirements of—
- (i) in the case of seed potatoes produced in [^{F21}Great Britain], the relevant seed potatoes regulations;
 - (ii) in the case of seed potatoes produced in a Crown Dependency [^{F22}or a country granted equivalence], legislation recognised by the Scottish Ministers as having equivalent effect to the requirements of regulation 6;
 - (iii) ^{F23} ...”
- (o) in the definition of “test and trial seed potatoes”, in sub-paragraph (b), for the words “the requirements” to the end substitute—
- “the requirements of—
- (i) in the case of seed potatoes produced in [^{F24}Great Britain], the relevant seed potatoes regulations;
 - (ii) in the case of seed potatoes produced in a Crown Dependency [^{F25}or a country granted equivalence], legislation recognised by the Scottish Ministers as having equivalent effect to the requirements of regulations 5 and 10(1)(c) and paragraphs 3 and 4 of Schedule 5;
 - (iii) ^{F26} ...”
- [^{F27}(3) Omit regulation 2(3).]
- (4) In regulation 4 (general provisions on the marketing of seed potatoes)—
- [^{F28}(za) in paragraph (3)—
- (i) in sub-paragraph (a), for “the United Kingdom” substitute “Great Britain”,
 - (ii) in sub-paragraph (b), for “National List” substitute “GB Variety List or NI Variety List”,]
- [^{F29}(a) in paragraph (5), for “Union” substitute “GB”];
- (b) for paragraph (6)(b) substitute—
- “(b) in the case of basic seed potatoes in respect of which the applicable [^{F30}GB] grade or, as the case may be, the applicable Union grade is—
- (i) [^{F30}GB] grade S or Union grade S, the fifth field generation,
 - (ii) [^{F30}GB] grade SE or Union grade SE, the sixth field generation,
 - (iii) [^{F30}GB] grade E or Union grade E, the seventh field generation.”
- (5) In regulation 5 (marketing requirements – test and trial seed potatoes)—
- (a) for paragraph (4) substitute—

“(4) The Scottish Ministers may not grant or renew an authorisation under paragraph (1) unless they are satisfied that—

- (a) the seed potatoes which are the subject of the authorisation or renewal are of a variety of seed potato for which an application for acceptance onto [^{F31}a GB Variety List or an NI Variety List] has been made;
- (b) in relation to seed potatoes containing genetically modified material, the marketing and release of the material by the applicant has been authorised under—
 - (i) before the day on which [^{F32}IP completion] day falls, Part C of Directive [2001/18/EC](#);
 - (ii) Regulation 1829/2003; or
 - (iii) the GMO Regulations;
- (c) the marketing of the seed potatoes would not contravene any prohibition on the use of that variety which has been imposed in accordance with Article 14 of Commission Decision [2004/842/EC](#) and which has been published in the Plant Varieties and Seeds Gazette in accordance with section 34(1) of the Act; and
- (d) the quantity of the variety of seed potato to be marketed does not exceed the greater of 0.1% of the annual number of seed potatoes used in [^{F33}Great Britain] and such quantity as the Scottish Ministers consider is sufficient to sow 10 hectares.”,

[^{F34}(aa) in paragraph (6)(a)(ii), for “member States” substitute “countries”,]

[^{F35}(b) in paragraph 8(b), for the words “the National List” to the end substitute “a GB Variety List or an NI Variety List.”.]

(6) For regulation 6(3) (marketing requirements – scientific and selection seed potatoes) substitute—

“(3) In relation to seed potatoes containing genetically modified material, the Scottish Ministers may not grant or renew an authorisation under paragraph (1) unless they are satisfied that the marketing and release of the material by the applicant has been authorised under—

- (a) before the day on which [^{F36}IP completion] day falls, Part C of Directive [2001/18/EC](#);
- (b) Regulation 1829/2003; or
- (c) the GMO Regulations.”.

(7) In regulation 7 (marketing requirements – conservation varieties)—

- (a) in paragraph (2), for the words from the beginning to “Commission Directive [2008/62/EC](#)” substitute “Where the quantities laid down in Article 14 of Directive [2008/62/EC](#) would otherwise be likely to be exceeded”,
- (b) after paragraph (2) insert—

“(2A) For the purposes of paragraph (2), Article 14 of Commission Directive [2008/62/EC](#) is to be read as if—

- (a) in the first paragraph—
 - (i) “Each Member State shall ensure that” was omitted;
 - (ii) for “does not exceed”, there were substituted “may not exceed”;
 - (ii) for “that Member State”, there were substituted “[^{F37}Great Britain]”;

- (b) in the second paragraph—
 - (i) for “each Member State”, there were substituted “ [F37Great Britain] ”;
 - (ii) for “the Member State” in both places where it occurs, there were substituted “ [F37Great Britain] ”.
- (8) In regulation 8 (certification and grading)—
 - (a) in paragraph (2)(a)—
 - (i) for “applicable Union grade” substitute “ applicable [F38GB] grade ”,
 - (ii) for “Union grade PBTC” substitute “ [F38GB] grade PBTC ”; and
 - (iii) for “Union grade S” substitute “ [F38GB] grade S ”,
 - (b) in paragraph (4), for “Union” substitute “ [F38GB] ”.
- (9) In regulation 10(3)(b) (labelling of seed potatoes), for “Union” substitute “ [F39GB] ”.
- (10) For regulation 11(1)(b) (sealing of packages) substitute—
 - “(b) in the case of seed potatoes produced outside Scotland, it is sealed in accordance with—
 - (i) in the case of seed potatoes produced in [F40Great Britain], the relevant seed potatoes regulations;
 - (ii) in the case of seed potatoes produced in a Crown Dependency [F41or a country granted equivalence], legislation recognised by the Scottish Ministers as having equivalent effect to paragraph (a);
 - ^{F42}(iii) ”.
- (11) In regulation 15 (enforcement – crop inspection report, applicable Union grade and official label)—
 - (a) in the heading, for “Union” substitute “ [F43GB] ”,
 - (b) in paragraph (2), for “Union” substitute “ [F43GB] ”.
- (12) In regulation 20 (imports from outside EU)—
 - (a) in the heading, for “EU” substitute “ British Islands ”,
 - (b) for “European Union” substitute “ British Islands ”.
- (13) After regulation 23 (extension and modification of provisions of the Act) insert—

“Transitional provision for official labels on [F44IP completion] day

23A. A label pre-printed before [F44IP completion] day which at the date on which it was printed was an official label for the purposes of these Regulations is to be treated as an official label for basic seed potatoes or, as the case may be, test and trial seed potatoes produced in Scotland, for the purposes of any use of that label before the end of the period of one year beginning with the day after the day on which [F44IP completion] day falls.”.

- (14) In schedule 1 (conditions for certification and grading of Scottish seed potatoes)—
 - (a) in paragraph 1(c)(ii), for “Union” substitute “ [F45GB] ”,
 - (b) in paragraph 2(f), for “Union” substitute “ [F46GB] ”,
- [F47(c) in paragraph 3—
 - (i) in sub-paragraph (a), for the words “the National List” to the end substitute “a GB Variety List or an NI Variety List”,

- (ii) in sub-paragraph (b), for “the National List” substitute “a GB Variety List or an NI Variety List”,]
 - (d) in paragraphs 6, 8, 9, 12 and 13, in each place it occurs, for “Union” substitute “ [F48GB] ”.
- (15) In schedule 2 (certification and grading: source material requirements, other requirements and tolerances)—
- (a) in Table I (pre-basic seed potatoes)—
 - (i) in the heading of column 1 (Union grade), for “Union” substitute “ [F49GB] ”,
 - (ii) in the entry for grade “PBTC”, in column 3 (other requirements), for “Union” substitute “ [F50GB] ”,
 - [F51(iii) in the entry for grade “PB”—
 - (aa) in column 2 (source material), for “Union grade PBTC” substitute “GB grade PBTC or the equivalent grade”,
 - (bb) in column 3 (other requirements), for “Union grade S” substitute “GB grade S or the equivalent grade”,]
 - (b) in Table II (basic seed potatoes and test and trial seed potatoes)—
 - (i) in the heading of column 1 (Union grade), for “Union” substitute “ [F52GB] ”,
 - [F53(ii) in the entry for grade “S”, in column 2 (source material), for “Union grade PBTC or PB” substitute “GB grade PBTC or PB or the equivalent grade”,
 - (iii) in the entry for grade “SE”, in column 2, for “Union grade PBTC, PB, or S” substitute “GB grade PBTC, PB or S or the equivalent grade”,
 - (iv) in the entry for grade “E”, in column 2, for “Union grade PBTC, PB, S or SE” substitute “GB grade PBTC, PB, S or SE or the equivalent grade”.]
- (16) In schedule 3 (requirements as to varietal purity and size)—
- (a) in paragraph 2 (Union grade PBTC)—
 - (i) in the heading, for “Union” substitute “ [F54GB] ”,
 - (ii) in sub-paragraph (1)—
 - (aa) for “applicable Union grade”, substitute “ applicable [F54GB] grade ”, and
 - (bb) for “Union grade PBTC” substitute “ [F54GB] grade PBTC ”,
 - (b) in paragraph 3 (Union grade PB)—
 - (i) in the heading, for “Union”, substitute “ [F54GB] ”,
 - (ii) in sub-paragraph (1)—
 - (aa) for “applicable Union grade”, substitute “ applicable [F54GB] grade ”, and
 - (bb) for “Union grade PB”, substitute “ [F54GB] grade PB ”,
 - (c) in paragraph 4 (Union grade S, SE, E and test and trial seed potatoes)—
 - (i) in the heading, for “Union” substitute “ [F54GB] ”,
 - (ii) in sub-paragraph (1)(a)—
 - (aa) for “applicable Union grade”, substitute “ applicable [F54GB] grade ”, and
 - (bb) for “Union grade S, SE, or E”, substitute “ [F54GB] grade S, SE or E ”,
 - (d) for paragraph 5(2)(a) (seed potatoes produced outside Scotland), substitute—
 - “(a) comply with the following requirements relating to size—

- (i) the minimum size must be such that the seed potatoes do not pass through a square mesh of 25 millimetres by 25 millimetres;
 - (ii) the maximum variation in size between tubers in a lot must not exceed 25 millimetres;
 - (iii) in the case of tubers which are too large to pass through a square mesh of 35 millimetres by 35 millimetres, the upper and lower size limits shall be expressed in multiples of 5 millimetres; and”.
- (17) In the heading to schedule 4 (particulars to be provided in respect of seed potatoes produced outside the European Union), for “European Union” substitute “ British Islands ”.
- (18) In schedule 5 (official labels)—
- (a) in paragraph 1(2)(c) (pre-basic seed potatoes), for “member State” substitute “ country ”,
 - (b) in paragraph 2 (basic seed potatoes)—
 - (i) in sub-paragraph (2)(b)—
 - (aa) for “European Union”, substitute “ British Islands ”,
 - (bb) for “EU”, substitute “ [F55GB] ”,
 - (ii) in sub-paragraph (c), for “member State” substitute “ country ”,
 - (c) in paragraph 3 (test and trial seed potatoes)—
 - (i) in sub-paragraph (2)(b)—
 - (aa) for “European Union”, substitute “ British Islands ”,
 - (bb) for “EU”, substitute “ [F56GB] ”,
 - (ii) in sub-paragraph (2)(d), for “member State” substitute “ country ”.
- (19) After schedule 5 (official labels) insert—

“SCHEDULE 5A

Regulation 2(1)

OFFICIAL DOCUMENTS

1. An official document used in relation to pre-basic seed potatoes must be white with a diagonal violet line.
 2. An official document used in relation to basic seed potatoes must be predominantly white.
 3. An official document used in relation to test and trial seed potatoes must be orange.
 4. An official document must, in relation to the seed potatoes to which it relates, state—
 - (a) crop identification number, including the producer's identification number (or equivalent);
 - (b) the month and year when officially sealed;
 - (c) the country of production.”.
- (20) In schedule 6 (tolerances for diseases, pests, damages and defects)—
- (a) in paragraph 1 (tolerances)—
 - (i) for “applicable Union grade” in each place where it occurs, substitute “ applicable [F57GB] grade ”,
 - (ii) in sub-paragraph (1)(a), for “Union grade PBTC, substitute “ [F57GB] grade PBTC ”,
 - (iii) in sub-paragraph (1)(b), for “Union grade PB”, substitute “ [F57GB] grade PB ”,

- (iv) in sub-paragraph (1)(c), for “Union grade S”, substitute “ [F57GB] grade S ”,
- (v) in sub-paragraph (1)(d), for “Union grade SE”, substitute “ [F57GB] grade SE ”,
- (vi) in sub-paragraph (1)(e)(i), for “Union grade E”, substitute “ [F57GB] grade E ”,
- (vii) in sub-paragraph (1)(f), for “European Union” substitute “ British Islands ”,
- (b) in the headings for Tables I (Union grade PBTC produced in Scotland) and II (Union grade PB produced in Scotland), for “Union” substitute “ [F58GB] ”,
- (c) in Table III (Union grade S, SE and E and test and trial seed potatoes)—
 - (i) in the heading, for “Union” substitute “ [F59GB] ”,
 - (ii) in sub-headings (a) (Union grade S produced in Scotland), (b) (Union grade SE produced in Scotland) and (c) (Union grade E and test and trial seed potatoes produced in Scotland), for “Union” in each place where it occurs substitute “ [F59GB] ”,
- (d) in the heading for Table IV (basic seed potatoes intended for markets outside the EU), for “EU” substitute “ British Islands ”.

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| F1 | Reg. 16(2)(za) inserted (31.12.2020 immediately before IP completion day) by The Seed, Plant Propagating Material and Forest Reproductive Material (EU Exit) (Scotland) (Amendment etc.) Regulations 2020 (S.S.I. 2020/445) , regs. 1(1)(b), 17(2)(a) |
| F2 | Words in reg. 16(2)(a)(ii) substituted (31.12.2020 immediately before IP completion day) by The Seed, Plant Propagating Material and Forest Reproductive Material (EU Exit) (Scotland) (Amendment etc.) Regulations 2020 (S.S.I. 2020/445) , regs. 1(1)(b), 17(2)(b) |
| F3 | Reg. 16(2)(b) omitted (31.12.2020 immediately before IP completion day) by virtue of The Seed, Plant Propagating Material and Forest Reproductive Material (EU Exit) (Scotland) (Amendment etc.) Regulations 2020 (S.S.I. 2020/445) , regs. 1(1)(b), 17(2)(c) |
| F4 | Words in reg. 16(2)(c) substituted (31.12.2020 immediately before IP completion day) by The Seed, Plant Propagating Material and Forest Reproductive Material (EU Exit) (Scotland) (Amendment etc.) Regulations 2020 (S.S.I. 2020/445) , regs. 1(1)(b), 17(2)(d)(i) |
| F5 | Words in reg. 16(2)(c) inserted (31.12.2020 immediately before IP completion day) by The Seed, Plant Propagating Material and Forest Reproductive Material (EU Exit) (Scotland) (Amendment etc.) Regulations 2020 (S.S.I. 2020/445) , regs. 1(1)(b), 17(2)(d)(ii) |
| F6 | Words in reg. 16(2)(c) omitted (31.12.2020 immediately before IP completion day) by virtue of The Seed, Plant Propagating Material and Forest Reproductive Material (EU Exit) (Scotland) (Amendment etc.) Regulations 2020 (S.S.I. 2020/445) , regs. 1(1)(b), 17(2)(d)(iii) |
| F7 | Reg. 16(2)(ca)(cb) inserted (31.12.2020 immediately before IP completion day) by The Seed, Plant Propagating Material and Forest Reproductive Material (EU Exit) (Scotland) (Amendment etc.) Regulations 2020 (S.S.I. 2020/445) , regs. 1(1)(b), 17(2)(e) |
| F8 | Reg. 16(2)(da) inserted (31.12.2020 immediately before IP completion day) by The Seed, Plant Propagating Material and Forest Reproductive Material (EU Exit) (Scotland) (Amendment etc.) Regulations 2020 (S.S.I. 2020/445) , regs. 1(1)(b), 17(2)(f) |
| F9 | Reg. 16(2)(e) substituted (31.12.2020 immediately before IP completion day) by The Seed, Plant Propagating Material and Forest Reproductive Material (EU Exit) (Scotland) (Amendment etc.) Regulations 2020 (S.S.I. 2020/445) , regs. 1(1)(b), 17(2)(g) |
| F10 | Reg. 16(2)(g)-(gb) substituted for reg. 16(2)(g) (31.12.2020 immediately before IP completion day) by The Seed, Plant Propagating Material and Forest Reproductive Material (EU Exit) (Scotland) (Amendment etc.) Regulations 2020 (S.S.I. 2020/445) , regs. 1(1)(b), 17(2)(h) |
| F11 | Words in reg. 16(2)(h) substituted (31.12.2020 immediately before IP completion day) by The Seed, Plant Propagating Material and Forest Reproductive Material (EU Exit) (Scotland) (Amendment etc.) Regulations 2020 (S.S.I. 2020/445) , regs. 1(1)(b), 17(2)(i) |

- F12** Words in reg. 16(2)(h) inserted (31.12.2020 immediately before IP completion day) by The Seed, Plant Propagating Material and Forest Reproductive Material (EU Exit) (Scotland) (Amendment etc.) Regulations 2020 (S.S.I. 2020/445), regs. 1(1)(b), **17(2)(i)(ii)**
- F13** Words in reg. 16(2)(h) omitted (31.12.2020 immediately before IP completion day) by virtue of The Seed, Plant Propagating Material and Forest Reproductive Material (EU Exit) (Scotland) (Amendment etc.) Regulations 2020 (S.S.I. 2020/445), regs. 1(1)(b), **17(2)(i)(iii)**
- F14** Words in reg. 16(2)(i) substituted (31.12.2020 immediately before IP completion day) by The Seed, Plant Propagating Material and Forest Reproductive Material (EU Exit) (Scotland) (Amendment etc.) Regulations 2020 (S.S.I. 2020/445), regs. 1(1)(b), **17(2)(j)(i)**
- F15** Words in reg. 16(2)(i) inserted (31.12.2020 immediately before IP completion day) by The Seed, Plant Propagating Material and Forest Reproductive Material (EU Exit) (Scotland) (Amendment etc.) Regulations 2020 (S.S.I. 2020/445), regs. 1(1)(b), **17(2)(j)(ii)**
- F16** Words in reg. 16(2)(i) omitted (31.12.2020 immediately before IP completion day) by virtue of The Seed, Plant Propagating Material and Forest Reproductive Material (EU Exit) (Scotland) (Amendment etc.) Regulations 2020 (S.S.I. 2020/445), regs. 1(1)(b), **17(2)(j)(iii)**
- F17** Reg. 16(2)(j) substituted (31.12.2020 immediately before IP completion day) by The Seed, Plant Propagating Material and Forest Reproductive Material (EU Exit) (Scotland) (Amendment etc.) Regulations 2020 (S.S.I. 2020/445), regs. 1(1)(b), **17(2)(k)**
- F18** Words in reg. 16(2)(k) substituted (31.12.2020 immediately before IP completion day) by The Seed, Plant Propagating Material and Forest Reproductive Material (EU Exit) (Scotland) (Amendment etc.) Regulations 2020 (S.S.I. 2020/445), regs. 1(1)(b), **17(2)(l)(i)**
- F19** Words in reg. 16(2)(k) inserted (31.12.2020 immediately before IP completion day) by The Seed, Plant Propagating Material and Forest Reproductive Material (EU Exit) (Scotland) (Amendment etc.) Regulations 2020 (S.S.I. 2020/445), regs. 1(1)(b), **17(2)(l)(ii)**
- F20** Words in reg. 16(2)(k) omitted (31.12.2020 immediately before IP completion day) by virtue of The Seed, Plant Propagating Material and Forest Reproductive Material (EU Exit) (Scotland) (Amendment etc.) Regulations 2020 (S.S.I. 2020/445), regs. 1(1)(b), **17(2)(l)(iii)**
- F21** Words in reg. 16(2)(n) substituted (31.12.2020 immediately before IP completion day) by The Seed, Plant Propagating Material and Forest Reproductive Material (EU Exit) (Scotland) (Amendment etc.) Regulations 2020 (S.S.I. 2020/445), regs. 1(1)(b), **17(2)(m)(i)**
- F22** Words in reg. 16(2)(n) inserted (31.12.2020 immediately before IP completion day) by The Seed, Plant Propagating Material and Forest Reproductive Material (EU Exit) (Scotland) (Amendment etc.) Regulations 2020 (S.S.I. 2020/445), regs. 1(1)(b), **17(2)(m)(ii)**
- F23** Words in reg. 16(2)(n) omitted (31.12.2020 immediately before IP completion day) by virtue of The Seed, Plant Propagating Material and Forest Reproductive Material (EU Exit) (Scotland) (Amendment etc.) Regulations 2020 (S.S.I. 2020/445), regs. 1(1)(b), **17(2)(m)(iii)**
- F24** Words in reg. 16(2)(o) substituted (31.12.2020 immediately before IP completion day) by The Seed, Plant Propagating Material and Forest Reproductive Material (EU Exit) (Scotland) (Amendment etc.) Regulations 2020 (S.S.I. 2020/445), regs. 1(1)(b), **17(2)(n)(i)**
- F25** Words in reg. 16(2)(o) inserted (31.12.2020 immediately before IP completion day) by The Seed, Plant Propagating Material and Forest Reproductive Material (EU Exit) (Scotland) (Amendment etc.) Regulations 2020 (S.S.I. 2020/445), regs. 1(1)(b), **17(2)(n)(ii)**
- F26** Words in reg. 16(2)(o) omitted (31.12.2020 immediately before IP completion day) by virtue of The Seed, Plant Propagating Material and Forest Reproductive Material (EU Exit) (Scotland) (Amendment etc.) Regulations 2020 (S.S.I. 2020/445), regs. 1(1)(b), **17(2)(n)(iii)**
- F27** Reg. 16(3) substituted (31.12.2020 immediately before IP completion day) by The Seed, Plant Propagating Material and Forest Reproductive Material (EU Exit) (Scotland) (Amendment etc.) Regulations 2020 (S.S.I. 2020/445), regs. 1(1)(b), **17(3)**
- F28** Reg. 16(4)(za) inserted (31.12.2020 immediately before IP completion day) by The Seed, Plant Propagating Material and Forest Reproductive Material (EU Exit) (Scotland) (Amendment etc.) Regulations 2020 (S.S.I. 2020/445), regs. 1(1)(b), **17(4)(a)**

- F29** Reg. 16(4)(a) substituted (31.12.2020 immediately before IP completion day) by The Seed, Plant Propagating Material and Forest Reproductive Material (EU Exit) (Scotland) (Amendment etc.) Regulations 2020 (S.S.I. 2020/445), regs. 1(1)(b), **17(4)(b)**
- F30** Word in reg. 16(4)(b) substituted (31.12.2020 immediately before IP completion day) by The Seed, Plant Propagating Material and Forest Reproductive Material (EU Exit) (Scotland) (Amendment etc.) Regulations 2020 (S.S.I. 2020/445), regs. 1(1)(b), **17(4)(c)**
- F31** Words in reg. 16(5)(a) substituted (31.12.2020 immediately before IP completion day) by The Seed, Plant Propagating Material and Forest Reproductive Material (EU Exit) (Scotland) (Amendment etc.) Regulations 2020 (S.S.I. 2020/445), regs. 1(1)(b), **17(5)(a)(i)**
- F32** Words in reg. 16(5)(a) substituted (31.12.2020 immediately before IP completion day) by The Seed, Plant Propagating Material and Forest Reproductive Material (EU Exit) (Scotland) (Amendment etc.) Regulations 2020 (S.S.I. 2020/445), regs. 1(1)(b), **17(5)(a)(ii)**
- F33** Words in reg. 16(5)(a) substituted (31.12.2020 immediately before IP completion day) by The Seed, Plant Propagating Material and Forest Reproductive Material (EU Exit) (Scotland) (Amendment etc.) Regulations 2020 (S.S.I. 2020/445), regs. 1(1)(b), **17(5)(a)(iii)**
- F34** Reg. 16(5)(aa) inserted (31.12.2020 immediately before IP completion day) by The Seed, Plant Propagating Material and Forest Reproductive Material (EU Exit) (Scotland) (Amendment etc.) Regulations 2020 (S.S.I. 2020/445), regs. 1(1)(b), **17(5)(b)**
- F35** Reg. 16(5)(b) substituted (31.12.2020 immediately before IP completion day) by The Seed, Plant Propagating Material and Forest Reproductive Material (EU Exit) (Scotland) (Amendment etc.) Regulations 2020 (S.S.I. 2020/445), regs. 1(1)(b), **17(5)(c)**
- F36** Words in reg. 16(6) substituted (31.12.2020 immediately before IP completion day) by The Seed, Plant Propagating Material and Forest Reproductive Material (EU Exit) (Scotland) (Amendment etc.) Regulations 2020 (S.S.I. 2020/445), regs. 1(1)(b), **17(6)**
- F37** Words in reg. 16(7)(b) substituted (31.12.2020 immediately before IP completion day) by The Seed, Plant Propagating Material and Forest Reproductive Material (EU Exit) (Scotland) (Amendment etc.) Regulations 2020 (S.S.I. 2020/445), regs. 1(1)(b), **17(7)**
- F38** Word in reg. 16(8) substituted (31.12.2020 immediately before IP completion day) by The Seed, Plant Propagating Material and Forest Reproductive Material (EU Exit) (Scotland) (Amendment etc.) Regulations 2020 (S.S.I. 2020/445), regs. 1(1)(b), **17(8)**
- F39** Word in reg. 16(9) substituted (31.12.2020 immediately before IP completion day) by The Seed, Plant Propagating Material and Forest Reproductive Material (EU Exit) (Scotland) (Amendment etc.) Regulations 2020 (S.S.I. 2020/445), regs. 1(1)(b), **17(9)**
- F40** Words in reg. 16(10) substituted (31.12.2020 immediately before IP completion day) by The Seed, Plant Propagating Material and Forest Reproductive Material (EU Exit) (Scotland) (Amendment etc.) Regulations 2020 (S.S.I. 2020/445), regs. 1(1)(b), **17(10)(a)**
- F41** Words in reg. 16(10) inserted (31.12.2020 immediately before IP completion day) by The Seed, Plant Propagating Material and Forest Reproductive Material (EU Exit) (Scotland) (Amendment etc.) Regulations 2020 (S.S.I. 2020/445), regs. 1(1)(b), **17(10)(b)**
- F42** Words in reg. 16(10) omitted (31.12.2020 immediately before IP completion day) by virtue of The Seed, Plant Propagating Material and Forest Reproductive Material (EU Exit) (Scotland) (Amendment etc.) Regulations 2020 (S.S.I. 2020/445), regs. 1(1)(b), **17(10)(c)**
- F43** Word in reg. 16(11) substituted (31.12.2020 immediately before IP completion day) by The Seed, Plant Propagating Material and Forest Reproductive Material (EU Exit) (Scotland) (Amendment etc.) Regulations 2020 (S.S.I. 2020/445), regs. 1(1)(b), **17(11)**
- F44** Words in reg. 16(13) substituted (31.12.2020 immediately before IP completion day) by The Seed, Plant Propagating Material and Forest Reproductive Material (EU Exit) (Scotland) (Amendment etc.) Regulations 2020 (S.S.I. 2020/445), regs. 1(1)(b), **17(12)**
- F45** Word in reg. 16(14)(a) substituted (31.12.2020 immediately before IP completion day) by The Seed, Plant Propagating Material and Forest Reproductive Material (EU Exit) (Scotland) (Amendment etc.) Regulations 2020 (S.S.I. 2020/445), regs. 1(1)(b), **17(13)(a)**

- F46** Word in reg. 16(14)(b) substituted (31.12.2020 immediately before IP completion day) by [The Seed, Plant Propagating Material and Forest Reproductive Material \(EU Exit\) \(Scotland\) \(Amendment etc.\) Regulations 2020 \(S.S.I. 2020/445\)](#), regs. 1(1)(b), **17(13)(a)**
- F47** Reg. 16(14)(c) substituted (31.12.2020 immediately before IP completion day) by [The Seed, Plant Propagating Material and Forest Reproductive Material \(EU Exit\) \(Scotland\) \(Amendment etc.\) Regulations 2020 \(S.S.I. 2020/445\)](#), regs. 1(1)(b), **17(13)(b)**
- F48** Word in reg. 16(14)(d) substituted (31.12.2020 immediately before IP completion day) by [The Seed, Plant Propagating Material and Forest Reproductive Material \(EU Exit\) \(Scotland\) \(Amendment etc.\) Regulations 2020 \(S.S.I. 2020/445\)](#), regs. 1(1)(b), **17(13)(a)**
- F49** Word in reg. 16(15)(a)(i) substituted (31.12.2020 immediately before IP completion day) by [The Seed, Plant Propagating Material and Forest Reproductive Material \(EU Exit\) \(Scotland\) \(Amendment etc.\) Regulations 2020 \(S.S.I. 2020/445\)](#), regs. 1(1)(b), **17(14)(a)(i)**
- F50** Word in reg. 16(15)(a)(ii) substituted (31.12.2020 immediately before IP completion day) by [The Seed, Plant Propagating Material and Forest Reproductive Material \(EU Exit\) \(Scotland\) \(Amendment etc.\) Regulations 2020 \(S.S.I. 2020/445\)](#), regs. 1(1)(b), **17(14)(a)(i)**
- F51** Reg. 16(15)(a)(iii) substituted (31.12.2020 immediately before IP completion day) by [The Seed, Plant Propagating Material and Forest Reproductive Material \(EU Exit\) \(Scotland\) \(Amendment etc.\) Regulations 2020 \(S.S.I. 2020/445\)](#), regs. 1(1)(b), **17(14)(a)(ii)**
- F52** Word in reg. 16(15)(b)(i) substituted (31.12.2020 immediately before IP completion day) by [The Seed, Plant Propagating Material and Forest Reproductive Material \(EU Exit\) \(Scotland\) \(Amendment etc.\) Regulations 2020 \(S.S.I. 2020/445\)](#), regs. 1(1)(b), **17(14)(b)(i)**
- F53** Reg. 16(15)(b)(ii)-(iv) substituted (31.12.2020 immediately before IP completion day) by [The Seed, Plant Propagating Material and Forest Reproductive Material \(EU Exit\) \(Scotland\) \(Amendment etc.\) Regulations 2020 \(S.S.I. 2020/445\)](#), regs. 1(1)(b), **17(14)(b)(ii)**
- F54** Word in reg. 16(16)(a)-(c) substituted (31.12.2020 immediately before IP completion day) by [The Seed, Plant Propagating Material and Forest Reproductive Material \(EU Exit\) \(Scotland\) \(Amendment etc.\) Regulations 2020 \(S.S.I. 2020/445\)](#), regs. 1(1)(b), **17(15)**
- F55** Word in reg. 16(18)(b)(i)(bb) substituted (31.12.2020 immediately before IP completion day) by [The Seed, Plant Propagating Material and Forest Reproductive Material \(EU Exit\) \(Scotland\) \(Amendment etc.\) Regulations 2020 \(S.S.I. 2020/445\)](#), regs. 1(1)(b), **17(16)**
- F56** Word in reg. 16(18)(c)(i)(bb) substituted (31.12.2020 immediately before IP completion day) by [The Seed, Plant Propagating Material and Forest Reproductive Material \(EU Exit\) \(Scotland\) \(Amendment etc.\) Regulations 2020 \(S.S.I. 2020/445\)](#), regs. 1(1)(b), **17(16)**
- F57** Word in reg. 16(20)(a) substituted (31.12.2020 immediately before IP completion day) by [The Seed, Plant Propagating Material and Forest Reproductive Material \(EU Exit\) \(Scotland\) \(Amendment etc.\) Regulations 2020 \(S.S.I. 2020/445\)](#), regs. 1(1)(b), **17(17)(a)**
- F58** Word in reg. 16(20)(b) substituted (31.12.2020 immediately before IP completion day) by [The Seed, Plant Propagating Material and Forest Reproductive Material \(EU Exit\) \(Scotland\) \(Amendment etc.\) Regulations 2020 \(S.S.I. 2020/445\)](#), regs. 1(1)(b), **17(17)(b)**
- F59** Word in reg. 16(20)(c) substituted (31.12.2020 immediately before IP completion day) by [The Seed, Plant Propagating Material and Forest Reproductive Material \(EU Exit\) \(Scotland\) \(Amendment etc.\) Regulations 2020 \(S.S.I. 2020/445\)](#), regs. 1(1)(b), **17(17)(c)**

Commencement Information

- I1** Reg. 16 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, [Sch. 5 para. 1\(1\)](#)), see reg. 1(1)(b)

Marginal Citations

- M1** [S.S.I. 2015/395](#), amended by [S.S.I. 2016/68](#), [S.S.I. 2016/434](#) and [S.S.I. 2018/391](#).
- M2** [S.S.I. 2002/541](#), amended by [S.I. 2005/2759](#) and [S.I. 2011/1043](#); and by [S.S.I. 2004/439](#) and [S.S.I. 2015/100](#).
- M3** [S.I. 2002/2443](#), as amended by [S.I. 2004/2411](#), [S.I. 2005/2759](#), [S.I. 2009/1892](#) and [S.I. 2018/575](#).
- M4** [S.I. 2002/3188](#) (W. 304), amended by [S.I. 2005/2759](#) and [S.I. 2013/755](#) (W. 90).

- M5** [S.R. 2003 No. 167](#).
- M6** [S.I. 2015/1953](#), amended by [S.I. 2017/288](#).
- M7** [S.I. 2016/106 \(W.52\)](#), amended by [S.I. 2017/596 \(W.139\)](#) and [S.I. 2017/1095 \(W.276\)](#).
- M8** [S.R. 2016 No. 190](#), amended by [S.R. 2017 No. 155](#).

Changes to legislation:

There are currently no known outstanding effects for the The Seed and Propagating Material (EU Exit) (Scotland) (Amendment) Regulations 2019, Section 16.