

**2022 No. 203**

**EXITING THE EUROPEAN UNION**

**PLANT HEALTH**

**SEEDS**

**The Vegetable Plant Material and Fruit Plant and Propagating  
Material (EU Exit) (Scotland) (Amendment) Regulations 2022**

*Made* - - - - *8th June 2022*

*Laid before the Scottish Parliament* *10th June 2022*

*Coming into force* - - *28th September 2022*

The Scottish Ministers make the following Regulations in exercise of the powers conferred by paragraph 1(1) and (3) of schedule 2 of the European Union (Withdrawal) Act 2018<sup>(a)</sup> and all other powers enabling them to do so.

**Citation, commencement and extent**

**1.**—(1) These Regulations may be cited as the Vegetable Plant Material and Fruit Plant and Propagating Material (EU Exit) (Scotland) (Amendment) Regulations 2022 and come into force on 28 September 2022.

(2) These Regulations extend to Scotland only.

**The Marketing of Vegetable Plant Material Regulations 1995**

**2.** In regulation 4A(1) (plant material from outside the United Kingdom: authorisation) of the Marketing of Vegetable Plant Material Regulations 1995<sup>(b)</sup> omit “, until 31 December 2022,”.

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<sup>(a)</sup> 2018 c. 16.

<sup>(b)</sup> S.I. 1995/2652, as relevantly amended by S.S.I. 2019/59, and S.S.I. 2019/289.

### **The Marketing of Fruit Plant and Propagating Material (Scotland) Regulations 2017**

3. In regulation 5(2) (general requirements for the marketing of plant material) of the Marketing of Fruit Plant and Propagating Material (Scotland) Regulations 2017(a) omit “, until 31 December 2022,”.

*MAIRI McALLAN*

Authorised to sign by the Scottish Ministers

St Andrew's House,  
Edinburgh  
8th June 2022

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(a) S.S.I. 2017/177, as relevantly amended by S.S.I. 2019/190 and S.S.I. 2019/289.

## **EXPLANATORY NOTE**

*(This note is not part of the Regulations)*

These Regulations are made by the Scottish Ministers in exercise of powers conferred by paragraph 1(1) and 1(3) of schedule 2 of the European Union (Withdrawal) Act 2018 (c.16) in order to address failures of retained EU law to operate effectively and other deficiencies.

They do so by making amendments to the Marketing of Vegetable Plant Material Regulations 1995 and the Marketing of Fruit Plant and Propagating Material (Scotland) Regulations 2017 (together the “Vegetable Plant and Fruit Plant Material Regulations”) to remove the time limit which currently applies to the Scottish Ministers’ ability to recognise fruit and vegetable propagating material originating from outside the UK as being of equivalent standard to that produced domestically under the Vegetable Plant and Fruit Plant Material Regulations.

A business and regulatory impact assessment has not been prepared in relation to these Regulations as no, or no significant, impact upon businesses, charities or voluntary bodies is foreseen.

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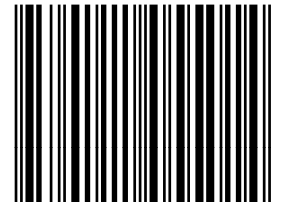
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