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DRAFT SCOTTISH STATUTORY INSTRUMENTS

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**2019 No.**

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

**PART 3**

Amendment of the Plant Health (Scotland) Order 2005: exiting the European Union

CHAPTER 2

Amendment of Part 2

**28.** In article 8 (exceptions from certain prohibitions and requirements)—

(a) for paragraph (1) substitute—

“(1) The prohibitions relating to relevant material in articles 5(1)(e) and (h), 6(1), 6A(1) and 10(1) do not apply to relevant material of a description in paragraph (2) and which is brought into Scotland in the baggage of a passenger or other traveller coming from any third country, other than any country or territory in the European Union or Switzerland or to exempt material of a description in paragraph (3A) and which is brought into Scotland in the baggage of a passenger or other traveller coming from the European Union or Switzerland providing that the relevant material or, as the case may be, the exempt 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.”,

(b) in paragraph (2), in the words before sub-paragraph (a) after “which” insert “originates in a third country other than the European Union or Switzerland and”, and

(c) after paragraph (3) insert—

“(3A) The exempt material referred to in paragraph (1) is a small quantity of relevant material originating in the European Union or Switzerland, other than plants of *Castanea* Mill. intended for planting, plants of *Fraxinus* L. intended for planting or plants, other than seeds, of *Platanus* L. intended for planting;”.