
DRAFT SCOTTISH STATUTORY INSTRUMENTS

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 3

Amendment of Part 3

- 43.** In article 23 (validity of plant passports for Scotland)—
- (a) for the heading to article 23, substitute “**Validity of UK plant passports for Scotland**”,
 - (b) for paragraphs (1) and (2) substitute—
 - “(1) Where paragraph (2) applies, a person who moves relevant material of a description specified in the list of pest free area controlled material which relates to a pest free area, through the pest free area to a destination outside the relevant UK pest free area, is not required to produce a UK plant passport which is valid for the relevant UK pest free area.
 - (2) This paragraph applies where, in relation to the relevant material referred to in paragraph (1) the material—
 - (a) originates outside the relevant UK pest free area, and
 - (b) is moved in accordance with the conditions in paragraph (3)”,
 - (c) in paragraph (3)—
 - (i) for the words before sub-paragraph (a) substitute “The conditions are that”,
 - (ii) in sub-paragraph (a)—
 - (aa) for “which during transit through Scotland” substitute “the relevant material, during transit through the pest free area,”, and
 - (bb) for “outside Scotland” in both places where it occurs, substitute “outside the relevant UK pest free area”,
 - (iii) in sub-paragraph (b)—
 - (aa) for “whose” substitute “any”,
 - (bb) for “through Scotland” in both places where it occurs, substitute “through the pest free area”, and
 - (cc) omit “in relation to which Scotland is a protected zone”,
 - (d) after paragraph (3), insert—
 - “(4) In this article—
 - (a) “relevant UK pest free area”, in relation to any relevant material of a description specified in the list of pest free area controlled material, means the pest free area

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which is, or is part of, the UK pest free area that has been designated in respect of that material,

- (b) “relevant plant pest”, in relation to a UK pest free area, means the plant pest in respect of which the UK pest free area has been designated.”.