
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 6

Amendment of Part 6

50. For article 31A (duty to perform official surveys (Phytophthora ramorum))(1) substitute—

“Emergency measures

31A.—(1) Where a regulated plant pest is found to be present in Scotland, the Scottish Ministers may by notice—

- (a) demarcate an area in relation to that infestation for the purpose of eradicating or containing that plant pest, and
 - (b) specify the prohibitions and restrictions which are to apply in the demarcated area for that purpose.
- (2) A notice under paragraph (1)—
- (a) must be in writing,
 - (b) must describe the extent of the demarcated area,
 - (c) must specify the date on which any such prohibitions or restrictions are to commence,
 - (d) must be published in a manner appropriate to bring it to the attention of the public, and
 - (e) may be amended or revoked, in whole or in part, by further notice.”.

(1) Article 31A was inserted by Part 2 of these Regulations. See schedule 8A (emergency measures: miscellaneous), which is inserted by regulation 64 of these Regulations, which makes provision for official surveys.