
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 9

Amendment of Part 9

57. In article 42 (notification of the presence or suspected presence of certain plant pests)—

(a) in paragraph (1)(1)—

- (i) for “plant pest to which this article applies” substitute “notifiable plant pest”,
- (ii) for “such plant pest” in both places it occurs, substitute “such notifiable plant pest”,
and

(b) for paragraphs (2), (3)(2) and (4) substitute—

“(2) In this article, “notifiable plant pest” means—

- (a) a plant pest, other than a plant pest of a description specified in Schedule 18, which—
 - (i) is a regulated plant pest,
 - (ii) is of a description specified in column 3 of Part B of the list of prohibited infested material and which is present on, or appears to an inspector to have been in contact with, relevant material of a description specified in the entry in respect of that plant pest in column 2 of Part B of the list of prohibited infested material, or
 - (iii) although not a regulated plant pest, is a plant pest not normally present in Great Britain and is likely to be injurious to plants in Great Britain,
- (b) a plant pest of a description specified in schedule 18 which—
 - (i) is a regulated plant pest,
 - (ii) is a sub-species or strain not normally present in Great Britain and which has been found on any premises, or
 - (iii) is also specified in column 3 of Part A of the list of prohibited infested material and which is present on, or appears to an inspector to have been in contact with, relevant material of a description specified in the entry in respect of that plant pest in column 2 of Part A of that list.”.

(1) Paragraph (1) was partially revoked by [S.S.I. 2006/474](#).

(2) Paragraph (3) was substituted by [S.S.I. 2007/415](#).

Draft Legislation: This is a draft item of legislation and has not yet been made as a Scottish Statutory Instrument. This draft has been replaced by a new draft, The Plant Health (EU Exit) (Scotland) (Amendment etc.) Regulations 2019 ISBN 978-0-11-104137-6
