
DRAFT SCOTTISH STATUTORY INSTRUMENTS

2019 No.

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

PART 2

Amendment of the Plant Health (Forestry) Order 2005

12. In article 8—

(a) omit paragraph (1),

(b) after paragraph (1) insert—

“(1A) The provisions referred to in paragraph (1B) do not apply to—

(a) any tree or wood described in paragraph (2) originating in any third country, other than the European Union or Switzerland, which is brought into Scotland in the baggage of a passenger or other traveller coming from any such third country and meets the conditions in paragraph (1C); or

(b) any small quantity of relevant material originating in the European Union or Switzerland which is brought into Scotland in the baggage of a passenger or other traveller coming from the European Union or Switzerland and meets the conditions in paragraph (1C).

(1B) The provisions are—

(a) article 5(1B)(e) and (h);

(b) article 6(2B);

(c) article 6B(1);

(d) article 7(1A);

(e) article 10B;

(f) article 12B.

(1C) The conditions are that the relevant material—

(a) does not show any signs of the presence of a tree pest;

(b) is not intended for use in the course of a trade or business;

(c) is intended for household use; and

(d) in the case of any tree or wood originating in a third country, other than the European Union or Switzerland, has been grown in or consigned from the Euro-Mediterranean area.”,

(c) in paragraph (2), in the words before sub-paragraph (a), for “paragraph (1)” substitute “paragraph (1A)”.