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DRAFT SCOTTISH STATUTORY INSTRUMENTS

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**2019 No.**

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

**PART 2**

**Amendment of the Plant Health (Forestry) Order 2005**

**48.** After article 41 insert—

**“Notification of the likely entry into, or presence in, a free zone of tree pests or relevant material: Scotland**

**41B.**—(1) The responsible authority for a free zone in Scotland who knows or suspects that any of the following is likely to be brought into the free zone, or is present in the free zone and has not been cleared out of charge, must immediately give notice of that fact to the Scottish Ministers or an inspector—

- (a) any regulated tree pest;
- (b) any other tree pest which is not normally present in Great Britain and which is likely to be injurious to trees in Great Britain;
- (c) any relevant material of a description specified in column 2 of Part A or B of the list of prohibited imported material which originates in a third country specified in the corresponding entry in respect of that description of relevant material in column 3.

(2) Where a person gives notice in accordance with paragraph (1) orally, the person must confirm it in writing as soon as reasonably practicable.

(3) In this article, “responsible authority” and “free zone” have the same meaning as in the Customs Act.”.