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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**

**17. In article 12—**

- (a) omit paragraphs (1) and (2),
- (b) after paragraph (2) insert—

“(2A) Paragraph (2B) applies to any notifiable relevant material, other than notified EU material, which is brought into a point of entry that is located in Scotland and is not in the course of its consignment to an approved place of inspection in another UK territory.

(2B) An inspector may discharge notifiable relevant material from its point of entry, designated area of plant health control or approved place of inspection in Scotland if the inspector is satisfied that—

- (a) the material meets the prescribed requirements;
- (b) the relevant material corresponds with the description given to it in the phytosanitary certificate or phytosanitary certificate for re-export which accompanied the material on entry; and
- (c) the relevant material is accompanied by the correct phytosanitary certificate.”,
- (c) in paragraph (3), for “paragraph (2)(a) to (e)” substitute “paragraph (2B)(a)”,
- (d) omit paragraph (4),
- (e) after paragraph (4) insert—

“(4B) An inspector may, for the purpose of being satisfied as to matters in paragraph (2B)(b), carry out an examination of a consignment of relevant material to determine whether it corresponds to its description in the documents that accompany it.”,

- (f) omit paragraphs (5) and (6),
- (g) in paragraph (7)—
  - (i) in the words before sub-paragraph (a), for “paragraph (2)(g)” substitute “paragraph (2B)(c)”,
  - (ii) in sub-paragraph (a), for the words from “the date” to the end substitute “date it”,
  - (iii) omit sub-paragraph (b) and the preceding “; and”,
- (h) in paragraph (8)—
  - (i) for “a plant health check” substitute “an examination under paragraph (3)”,
  - (ii) for “checks” substitute “examination”.