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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**

**24.** After article 17 insert—

**“Approved places of inspection: Scotland**

**17B.**—(1) The Scottish Ministers may approve premises which are not located at a point of entry or are not part of a designated area of plant health control as a place at which appropriate checks may be carried out by an inspector in respect of notifiable relevant material, other than notified EU material.

(2) An application for approval under paragraph (1) may be made to the Scottish Ministers by an importer or other person responsible for those premises in such form and containing such information as the Scottish Ministers may specify.

(3) An approval may be granted subject to conditions, including conditions relating to the storage of the relevant material, and may be withdrawn at any time if the Scottish Ministers no longer consider that the premises to which the approval relates are suitable for the purpose for which the approval was given.

(4) The Scottish Ministers may only approve premises as an approved place of inspection in respect of notifiable relevant material, other than EU transit material, if the premises have been designated or approved by the Commissioners for Her Majesty’s Revenue and Customs for that purpose.

(5) In the case of any other premises, the Scottish Ministers may only approve those premises as an approved place of inspection for the purpose of carrying out appropriate checks in respect of EU transit material.

(6) In this article, “appropriate checks”, in relation to a consignment of notifiable relevant material, means—

- (a) an examination of the phytosanitary certificate or phytosanitary certificate for re-export accompanying the consignment to determine whether it is the correct phytosanitary certificate;
- (b) an examination of the consignment to determine whether it corresponds to its description in the trade documents that accompany it;
- (c) an examination of the consignment and its packaging, and where necessary, the vehicle transporting the consignment to determine whether it meets the prescribed requirements.”.