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DRAFT SCOTTISH STATUTORY INSTRUMENTS

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**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 2**

Amendment of Part 2

**27.** For article 7 (requirements for certificates) substitute—

**“Requirements for phytosanitary certificate or phytosanitary certificate for re-export**

7.—(1) No person may bring any notifiable relevant material into a point of entry located in Scotland unless the material is accompanied by a phytosanitary certificate or a phytosanitary certificate for re-export, which—

- (a) certifies that the material meets the applicable requirements prescribed by article 5, and
- (b) complies with the applicable requirements of paragraphs (2) to (5).

(2) In the case of transit material which has been split up, combined with other consignments or repackaged, the relevant material must be accompanied by a phytosanitary certificate for re-export which was issued in the country of transit.

(3) In the case of transit material which has or may have been exposed to infection or contamination by any plant pest, is not the same material as in the original consignment or which has been processed so as to change its nature, the relevant material must be accompanied by a phytosanitary certificate which was issued in the country of transit.

(4) Where paragraph (2) or (3) does not apply, the notifiable relevant material must be accompanied by a phytosanitary certificate which was issued in the country in which that material originates or from which it was consigned.

(5) A phytosanitary certificate must be the original certificate and the phytosanitary certificate for re-export must be the original certificate or a copy of the original certificate certified by an authorised officer.

(6) Paragraph (1) does not apply to any relevant material which—

- (a) is in the course of its consignment between two third countries under appropriate customs procedures or has been consigned to Scotland from another part of the United Kingdom via a third country,
- (b) does not undergo any change in customs status, and
- (c) is transported in such a way as to prevent the accidental escape of plant pests.

(7) Paragraph (1) is subject to article 8.

(8) In paragraphs (2) and (3), “transit material” means relevant material consigned to Scotland via a third country by way of transit.”