
DRAFT SCOTTISH STATUTORY INSTRUMENTS

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 3

Amendment of Part 3

- 43.** In article 23 (validity of plant passports for Scotland)—
- (a) for the heading to article 23, substitute “**Validity of UK plant passports for Scotland**”,
 - (b) for paragraphs (1) and (2) substitute—
 - “(1) Where paragraph (2) applies, a person who moves relevant material of a description specified in the list of pest free area controlled material which relates to a pest free area, through the pest free area to a destination outside the relevant UK pest free area, is not required to produce a UK plant passport which is valid for the relevant UK pest free area.
 - (2) This paragraph applies where, in relation to the relevant material referred to in paragraph (1) the material—
 - (a) originates outside the relevant UK pest free area, and
 - (b) is moved in accordance with the conditions in paragraph (3)”,
 - (c) in paragraph (3)—
 - (i) for the words before sub-paragraph (a) substitute “The conditions are that”,
 - (ii) in sub-paragraph (a)—
 - (aa) for “which during transit through Scotland” substitute “the relevant material, during transit through the pest free area,”, and
 - (bb) for “outside Scotland” in both places where it occurs, substitute “outside the relevant UK pest free area”,
 - (iii) in sub-paragraph (b)—
 - (aa) for “whose” substitute “any”,
 - (bb) for “through Scotland” in both places where it occurs, substitute “through the pest free area”, and
 - (cc) omit “in relation to which Scotland is a protected zone”,
 - (d) after paragraph (3), insert—
 - “(4) In this article—
 - (a) “relevant UK pest free area”, in relation to any relevant material of a description specified in the list of pest free area controlled material, means the pest free area

which is, or is part of, the UK pest free area that has been designated in respect of that material,

- (b) “relevant plant pest”, in relation to a UK pest free area, means the plant pest in respect of which the UK pest free area has been designated.”.