
DRAFT SCOTTISH STATUTORY INSTRUMENTS

2020 No.

**The Plant Health (EU Exit) (Scotland)
(Amendment etc.) Regulations 2020**

PART 3

Amendment of secondary legislation relating to withdrawal from the European Union

Part 11

20.—(1) In regulation 37(1) (general)—

- (a) omit sub-paragraph (a),
- (b) in sub-paragraph (c) omit “, 25(1)”,
- (c) in sub-paragraph (e) omit “EU”,
- (d) in sub-paragraph (g), after “other” insert “retained direct”,
- (e) omit sub-paragraph (h).

(2) In regulation 40 (provision of false or misleading information)—

- (a) in sub-paragraph (1) for “plant passport or” substitute “UK plant passport or a”,
- (b) in sub-paragraph (2)—
 - (i) for “, 101 and 102” substitute “or 101”,
 - (ii) omit “EU”.

(3) In regulation 41 (improper use of plant passports or certificates)—

- (a) in the heading, after “of” insert “UK”,
- (b) in paragraph (1), after “a” where it occurs the first time in each of sub-paragraphs (a) to (c), insert “UK”.

(4) In regulation 42 (obstruction etc.)—

- (a) in paragraph (1)(a) to (c) omit “EU” in each place it occurs;
- (b) for paragraph (2) substitute—
 - “(2) In paragraph (1)—
 - (a) “authorised person” means a person authorised by the Scottish Ministers,
 - (b) a reference to the Plant Health Regulation or the Official Controls Regulation includes retained EU law adopted, or regulations made, under the Plant Health Regulation or the Official Controls Regulation and any other retained EU law relating to plant health.”.