
SCOTTISH STATUTORY INSTRUMENTS

2020 No. 445

The Seed, Plant Propagating Material and
Forest Reproductive Material (EU Exit)
(Scotland) (Amendment etc.) Regulations 2020

PART 3

Amendment of Secondary Legislation Relating
to Withdrawal from the European Union

Amendments relating to the Marketing of Fruit Plant and Propagating Material (Scotland) Regulations 2017

18.—(1) Regulation 18 (the Marketing of Fruit Plant and Propagating Material (Scotland) Regulations 2017) is amended as follows.

(2) In paragraph (2)—

(a) in sub-paragraph (a)—

(i) for “paragraph” substitute “sub-paragraph”,

(ii) in the new sub-paragraph (b) to be inserted—

(aa) in head (ii), after “Crown Dependency” insert “or a country granted equivalence”,

(bb) omit head (iii),

(b) for sub-paragraph (b) substitute—

“(b) after the definition of “Commission Implementing [Directive 2014/98/EU](#)” insert—

““country granted equivalence” means a country that has been assessed by Scottish Ministers as producing plant material under conditions equivalent to those required by these Regulations;

“Crown Dependency” means the Isle of Man or any of the Channel Islands;”

(c) in sub-paragraph (e)—

(i) for “paragraph” substitute “sub-paragraph”,

(ii) in the new sub-paragraph (b) to be inserted—

(aa) in head (ii), after “Crown Dependency” insert “or a country granted equivalence”,

(bb) omit head (iii),

(d) in sub-paragraph (f)—

(i) for “paragraph” substitute “sub-paragraph”,

- (ii) in the new sub-paragraph (b) to be inserted—
 - (aa) in head (ii), after “Crown Dependency” insert “or a country granted equivalence”,
 - (bb) omit head (iii),
- (e) in sub-paragraph (i), for “paragraph” substitute “sub-paragraph”,
- (f) after sub-paragraph (j) insert—
 - “(ja) in the definition of “RNQP”, for “Union” substitute “GB””.
- (3) In paragraph (3)—
 - (a) in sub-paragraph (a), in the new sub-paragraph (c)(iii) to be inserted, for “exit” substitute “IP completion”,
 - (b) in sub-paragraph (b), in the new paragraph (5) to be inserted—
 - (i) after sub-paragraph (a), insert “and”,
 - (ii) after sub-paragraph (b), omit “and”,
 - (iii) omit sub-paragraph (c).
- (4) Omit paragraph (4).
- (5) After paragraph (4) insert—
 - “(4A) In regulation 19 (notices), in paragraph (7), for “the United Kingdom” in each place it occurs substitute “Great Britain””.
- (6) In paragraph (5), in the new regulation 23A to be inserted—
 - (a) in the heading and the regulation, for “exit” in each place it occurs substitute “IP completion”,
 - (b) for “two years” substitute “twelve months”.
- (7) In paragraph (6), after sub-paragraph (c) insert—
 - “(d) in paragraph 10(5)(a)(ii) (health requirements for pre-basic mother plants and for pre-basic material), omit sub-sub-head (bb),
 - (e) in paragraph 17(5)(a)(ii) (health requirements for basic mother plants and basic material), omit sub-sub-head (bb),
 - (f) in paragraph 23(5)(a)(ii) (health requirements for certified mother plants and certified material), omit sub-sub-head (bb).”.
- (8) In paragraph (7)—
 - (a) in sub-paragraph (b)(i), in the new head (c)(iii) to be inserted, for “exit” substitute “IP completion”,
 - (b) in sub-paragraph (c)(ii), in the new head (d)(iii) to be inserted, for “exit” substitute “IP completion”,
 - (c) in sub-paragraph (e), in the new sub-head (ii)(cc) to be inserted, for “exit” substitute “IP completion”,
 - (d) in sub-paragraph (f), in the new head (d)(ii) to be inserted, for “exit” substitute “IP completion”.
- (9) In paragraph (8), omit sub-paragraph (c)(iii).
- (10) After paragraph (8) insert—
 - “(8A) In schedule 7 (visual inspections, sampling and testing per genus or species and category), in paragraph 2(a), for “Union” substitute “GB””.