

STATUTORY INSTRUMENTS

**2020 No. 1482**

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

**PART 4**

Miscellaneous

**Transitional provision: plants, plant products and other objects from EU Member States** E  
+W

- 52.—<sup>F1</sup>(1) This regulation applies to plants, plant products and other objects which—
- (a) originate in, or are dispatched from, an EU Member State, Liechtenstein or Switzerland; and
  - (b) are introduced into Great Britain on or after 31st January 2024 and before the end of the transitional staging period.]

(2) In relation to plants, plant products and other objects to which this regulation applies—

- <sup>F2</sup>(a) Article 72(1) of [Regulation \(EU\) 2016/2031](#) does not apply in relation to plants which—
- (i) are of a kind other than those listed in Schedule 2; and
  - (ii) meet the conditions specified in paragraph (2A) or (2B);]
- (b) Article 73(1) of Regulation (EU) 2016/2031 does not apply.

<sup>F3</sup>(2A) The conditions specified in this paragraph are that the plants—

- (a) are introduced into Great Britain as part of a traveller’s personal luggage; and
- (b) are not to be used for professional or commercial purposes.

(2B) The condition specified in this paragraph is that the plants are of a category specified in column 1, and of a description specified in the corresponding entry in column 2, of the table in Schedule 2A.

(2C) Article 72(1) does not apply in relation to plants, plant products or other objects of a kind other than those listed in Schedule 2 which are dispatched from an EU Member State, Liechtenstein or Switzerland before 31st January 2024.]

<sup>F4</sup>(3) .....

<sup>F5</sup>(4) In paragraph (1), “the transitional staging period” has the meaning given in Annex 6 to Regulation (EU) 2017/625 of the European Parliament and of the Council on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products.]

**Extent Information**

**E1** This version of this provision extends to England and Wales; separate versions have been created for Scotland and Northern Ireland only

### Textual Amendments

- F1** Reg. 52(1) substituted (E.W.S.) (31.1.2024) by [The Official Controls \(Extension of Transitional Periods\) \(Miscellaneous Amendments\) Regulations 2024 \(S.I. 2024/20\)](#), regs. 1(1), **4(2)(a)**
- F2** Reg. 52(2)(a) substituted (E.W.S.) (31.1.2024) by [The Official Controls \(Extension of Transitional Periods\) \(Miscellaneous Amendments\) Regulations 2024 \(S.I. 2024/20\)](#), regs. 1(1), **4(2)(b)**
- F3** Reg. 52(2A)-(2C) inserted (E.W.S.) (31.1.2024) by [The Official Controls \(Extension of Transitional Periods\) \(Miscellaneous Amendments\) Regulations 2024 \(S.I. 2024/20\)](#), regs. 1(1), **4(2)(c)**
- F4** Reg. 52(3) omitted (E.W.S.) (31.1.2024) by virtue of [The Official Controls \(Extension of Transitional Periods\) \(Miscellaneous Amendments\) Regulations 2024 \(S.I. 2024/20\)](#), regs. 1(1), **4(2)(d)**
- F5** Reg. 52(4) inserted (E.W.) (30.12.2021) by [The Official Controls \(Extension of Transitional Periods\) \(England and Wales\) \(Amendment\) \(No. 2\) Regulations 2021 \(S.I. 2021/1443\)](#), regs. 1(1)(b), **5(2)(b)**

### Commencement Information

- I1** Reg. 52 in force at 31.12.2020 on IP completion day, see [reg. 1\(2\)\(b\)](#)

## Transitional provision: plants, plant products and other objects from EU Member States **S**

- 52.**—<sup>F1</sup>(1) This regulation applies to plants, plant products and other objects which—
- originate in, or are dispatched from, an EU Member State, Liechtenstein or Switzerland; and
  - are introduced into Great Britain on or after 31st January 2024 and before the end of the transitional staging period.]
- (2) In relation to plants, plant products and other objects to which this regulation applies—
- <sup>F2</sup>(a) Article 72(1) of [Regulation \(EU\) 2016/2031](#) does not apply in relation to plants which—
- are of a kind other than those listed in Schedule 2; and
  - meet the conditions specified in paragraph (2A) or (2B);]
- (b) Article 73(1) of [Regulation \(EU\) 2016/2031](#) does not apply.
- <sup>F3</sup>(2A) The conditions specified in this paragraph are that the plants—
- are introduced into Great Britain as part of a traveller’s personal luggage; and
  - are not to be used for professional or commercial purposes.
- (2B) The condition specified in this paragraph is that the plants are of a category specified in column 1, and of a description specified in the corresponding entry in column 2, of the table in Schedule 2A.
- (2C) Article 72(1) does not apply in relation to plants, plant products or other objects of a kind other than those listed in Schedule 2 which are dispatched from an EU Member State, Liechtenstein or Switzerland before 31st January 2024.]
- <sup>F4</sup>(3) .....
- <sup>F6</sup>(4) In paragraph (1), “the transitional staging period” has the meaning given in paragraph 2 (interpretation) of Annex 6 to [Regulation \(EU\) 2017/625](#) of the European Parliament and of the Council on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products.]

### Extent Information

- E2** This version of this provision extends to Scotland only; a separate version has been created for England and Wales and Northern Ireland only

### Textual Amendments

- F1** Reg. 52(1) substituted (E.W.S.) (31.1.2024) by [The Official Controls \(Extension of Transitional Periods\) \(Miscellaneous Amendments\) Regulations 2024 \(S.I. 2024/20\)](#), regs. 1(1), **4(2)(a)**
- F2** Reg. 52(2)(a) substituted (E.W.S.) (31.1.2024) by [The Official Controls \(Extension of Transitional Periods\) \(Miscellaneous Amendments\) Regulations 2024 \(S.I. 2024/20\)](#), regs. 1(1), **4(2)(b)**
- F3** Reg. 52(2A)-(2C) inserted (E.W.S.) (31.1.2024) by [The Official Controls \(Extension of Transitional Periods\) \(Miscellaneous Amendments\) Regulations 2024 \(S.I. 2024/20\)](#), regs. 1(1), **4(2)(c)**
- F4** Reg. 52(3) omitted (E.W.S.) (31.1.2024) by virtue of [The Official Controls \(Extension of Transitional Periods\) \(Miscellaneous Amendments\) Regulations 2024 \(S.I. 2024/20\)](#), regs. 1(1), **4(2)(d)**
- F6** Reg. 52(4) inserted (S.) (1.1.2022) by [The Official Controls \(Transitional Staging Period\) \(Miscellaneous Amendments\) \(Scotland\) \(No. 3\) Regulations 2021 \(S.S.I. 2021/493\)](#), regs. 1, **5(2)(b)**

### Commencement Information

- I6** Reg. 52 in force at 31.12.2020 on IP completion day, see [reg. 1\(2\)\(b\)](#)

### [<sup>F6</sup>Transitional provision: plants, plant products and other objects from EU Member States **N.I.**

**52.**—(1) This regulation applies to plants, plant products and other objects which originate in, or are dispatched from, an EU Member State, other than qualifying Northern Ireland goods, and are introduced into Great Britain during the period commencing on IP completion day and ending on 31st March 2021.

(2) In relation to plants, plant products and other objects to which this regulation applies—

- (a) Article 72(1) of Regulation (EU) 2016/2031 only applies if the plants, plant products and other objects are specified in Schedule 2;
- (b) Article 73(1) of Regulation (EU) 2016/2031 does not apply.

(3) In paragraph (1), “qualifying Northern Ireland goods” has the meaning given in the Definition of Qualifying Northern Ireland Goods (EU Exit) Regulations 2020 <sup>M5</sup>.]

### Extent Information

- E3** This version of this provision extends to Northern Ireland only; separate versions have been created for England and Wales and Scotland only

### Textual Amendments

- F6** Reg. 52(4) inserted (S.) (1.1.2022) by [The Official Controls \(Transitional Staging Period\) \(Miscellaneous Amendments\) \(Scotland\) \(No. 3\) Regulations 2021 \(S.S.I. 2021/493\)](#), regs. 1, **5(2)(b)**

### Commencement Information

- I7** Reg. 52 in force at 31.12.2020 on IP completion day, see [reg. 1\(2\)\(b\)](#)

### Marginal Citations

- M5** [S.I. 2020/1454](#).

### Transitional provision: UK plant passports

**53.**—(1) An authorisation to issue plant passports which has been granted and has effect immediately before IP completion day continues to apply after IP completion day as if it were an authorisation to issue UK plant passports.

(2) In the case of any plant passport that has been issued in respect of any plant, plant product or other object before IP completion day for the purposes of the movement of that plant, plant product or other object which takes place in part before and in part after IP completion day, the plant passport is after the IP completion day to be treated as if it were a UK plant passport and references to a UK plant passport are to be construed accordingly.

(3) In this regulation—

“plant passport” has the meaning given in Article 78 of Regulation (EU) 2016/2031 of the European Parliament and of the Council on protective measures against pests of plants, as it has effect in EU law <sup>M1</sup>;

“UK plant passport” has the meaning given in Article 78 of Regulation (EU) 2016/2031 of the European Parliament and of the Council on protective measures against pests of plants <sup>M2</sup>.

#### Commencement Information

**I2** Reg. 53 in force at 31.12.2020 on IP completion day, see [reg. 1\(2\)\(b\)](#)

#### Marginal Citations

**M1** OJ No L 317, 23.11.2016, p.4, as amended by Regulation (EU) 2017/625 (OJ No L 95, 7.4.2017, p.1).

**M2** EUR 2016/2031.

### Revocations

**54.** The following are revoked—

- (a) the Plant Health (Amendment) (England) (EU Exit) Regulation 2019 <sup>M3</sup>;
- (b) the Plant Health (EU Exit) Regulations 2019 <sup>M4</sup>;
- (c) the retained direct EU legislation listed in Schedule 3.

#### Commencement Information

**I3** Reg. 54(a)(b) in force at 31.12.2020 immediately before IP completion day, see [reg. 1\(2\)\(a\)](#)

**I4** Reg. 54(c) in force at 31.12.2020 on IP completion day, see [reg. 1\(2\)\(b\)](#)

#### Marginal Citations

**M3** S.I. 2019/786.

**M4** S.I. 2019/787.

### Savings

**55.—(1)** The revocations of the instruments listed in Schedule 3 and the amendments to Regulation (EU) 2016/2031 have no effect on the validity of any notice issued or any licence, authorisation or other approval given under or for the purposes of those instruments or that Regulation before IP completion day.

(2) Any such notice, licence, authorisation or other approval remains in force and continues to have effect on or after IP completion day in so far as it applies to anything done, or omitted to be done, before or after IP completion day.

(3) Paragraph (1) is subject to regulation 53.

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**Changes to legislation:** *There are currently no known outstanding effects for the The Plant Health (Amendment etc.) (EU Exit) Regulations 2020, PART 4. (See end of Document for details)*

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**Commencement Information**

**I5** Reg. 55 in force at 31.12.2020 on IP completion day, see [reg. 1\(2\)\(b\)](#)

**Changes to legislation:**

There are currently no known outstanding effects for the The Plant Health (Amendment etc.) (EU Exit) Regulations 2020, PART 4.