
SCOTTISH STATUTORY INSTRUMENTS

2005 No. 613

The Plant Health (Scotland) Order 2005

PART 2

IMPORTS FROM THIRD COUNTRIES

Requirements for certificates

7.—(1) Subject to articles 8 and 30(2) and to paragraph (6), the landing in Scotland of any relevant material referred to in sub paragraph (a) or (b) of article 6(2) is prohibited unless that relevant material is accompanied by a phytosanitary certificate issued in the country in which that material originates or in the country from which it was consigned and, where paragraph (2) applies, by a phytosanitary certificate for re export.

(2) Where relevant material consigned to Scotland via any third country by way of transit has been split up, combined with other consignments or repackaged, that material shall be accompanied by a phytosanitary certificate for re export issued in the country of transit.

(3) Where relevant material consigned to Scotland via any third country by way of transit has or may have been exposed to infection or contamination by any plant pest, no longer remains the same material specified in the phytosanitary certificate which accompanies it or has been processed so as to change its nature, the phytosanitary certificate required to accompany it shall be issued in the country of transit.

(4) Where relevant material is listed in the first column of Annex IV, Part B of Directive 2000/29/EC and the requirement or requirements specified in the second column opposite the reference to that relevant material can only be fulfilled in the country in which the relevant material originates, the phytosanitary certificate required to accompany it shall be issued in that country.

(5) Where a phytosanitary certificate is required by paragraph (2) to be accompanied by a phytosanitary certificate for re export, it may consist of a copy of the certificate certified as a true copy of the original by an authorised officer but in all other cases shall be the original certificate.

(6) Provided the relevant material is transported in such a way as to prevent the accidental escape of plant pests and does not undergo any change in its customs status, paragraph (1) does not apply to—

- (a) relevant material landed in Scotland which, under appropriate customs procedures, is in the course of its consignment between two third countries; or
- (b) relevant material landed in Scotland which has been consigned to Scotland from another part of the European Community via a third country.