
SCOTTISH STATUTORY INSTRUMENTS

2019 No. 421

PLANT HEALTH

The Plant Health (Official Controls and Miscellaneous Provisions) (Scotland) Regulations 2019

		<i>at 11.15 a.m. on 11th</i>
<i>Made</i>	- - - -	<i>December 2019</i>
<i>Laid before the Scottish</i>		<i>at 3.30 p.m. on 11th</i>
<i>Parliament</i>	- - - -	<i>December 2019</i>
<i>Coming into force</i>	- -	<i>14th December 2019</i>

The Scottish Ministers make the following Regulations in exercise of the powers conferred by section 2(2) and paragraph 1A of schedule 2 of the European Communities Act 1972⁽¹⁾ and all other powers enabling them to do so.

These Regulations make provision for a purpose mentioned in section 2(2) of the European Communities Act 1972 and it appears to the Scottish Ministers that it is expedient for the references to Commission Implementing Regulation (EU) 2019/2072 establishing uniform conditions for the implementation of Regulation (EU) 2016/2031 of the European Parliament and the Council, as regards protective measures against pests of plants, and repealing [Commission Regulation \(EC\) No 690/2008](#) and amending Commission Implementing Regulation (EU) 2018/2019 and to the European Union instruments mentioned in regulation 3(1) to be references to those instruments as amended from time to time.

(1) [1972 c.68](#) (“the 1972 Act”). Section 2(2) was amended by the Scotland Act [1998 \(c.46\)](#) (“the 1998 Act”), schedule 8, paragraph 15(3) (which was amended by section 27(4) of the Legislative and Regulatory Reform Act [2006 \(c.51\)](#) (“the 2006 Act”). Section 2(2) was also amended by section 27(1)(a) of the 2006 Act and by the European Union (Amendment) Act [2008 \(c.7\)](#) (“the 2008 Act”), section 3(3) and schedule 1, Part 1. The functions conferred upon the Minister of the Crown under section 2(2), insofar as within devolved competence, were transferred to the Scottish Ministers by virtue of section 53 of the 1998 Act. Paragraph 1A of schedule 2 was inserted by section 28 of the 2006 Act and was amended by the 2008 Act, schedule 1, Part 1. The 1972 Act is prospectively repealed by section 1 of the European Union (Withdrawal) Act [2018 \(c.16\)](#) from exit day (see section 20 of that Act).