

## SCOTTISH STATUTORY INSTRUMENTS

# 2019 No. 421

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

### PART 6

#### Registration, authorisations and certificates

##### Authorisations for other purposes

[<sup>F1</sup>21.—(1) [<sup>F2</sup>The Scottish Ministers may grant an authorisation to permit—

- (a) the carrying out of any activity specified in a plant health derogation,
- (b) the introduction into Scotland, the movement within Scotland or the holding or multiplication in Scotland of a potential quarantine plant pest for official testing, scientific or educational purposes, trials, varietal selection or breeding, or
- (c) the carrying out of any other activity which requires the approval of the Scottish Ministers under [<sup>F3</sup>, or by virtue of,] the <sup>F4</sup>... Plant Health Regulation, the Official Controls Regulation [<sup>F5</sup>, any regulations made under the Plant Health Regulation or the Official Controls Regulation] or these Regulations.]

(2) An application for any such authorisation must be made to the Scottish Ministers in the manner and form required by the Scottish Ministers.

(3) [<sup>F6</sup>In paragraph (1)—

[<sup>F7</sup>“plant health derogation” means a derogation [<sup>F8</sup>assimilated] law or regulations made under the Plant Health Regulation or the Official Controls Regulation,]

“potential quarantine plant pest” means a plant pest which is not a [<sup>F9</sup>GB quarantine pest or a provisional GB quarantine pest], but which, in the opinion of the Scottish Ministers, fulfils the criteria set out in Subsection 1 of Section 3 of Annex 1 to that Regulation or may fulfil the criteria in Subsection 2 of that Section.]]

##### Textual Amendments

- F1** Reg. 21 substituted (27.6.2020) by [The Plant Health \(Official Controls and Miscellaneous Provisions\) \(Miscellaneous Amendments\) \(Scotland\) Regulations 2020 \(S.S.I. 2020/176\)](#), regs. 1(1), **10**
- F2** Reg. 21(1) substituted (31.12.2020) by [The Plant Health \(EU Exit\) \(Scotland\) \(Amendment etc.\) Regulations 2020 \(S.S.I. 2020/466\)](#), regs. 1(1)(a), **5(4)(a)** (with reg. 32)
- F3** Words in reg. 21(1)(c) inserted (31.12.2020) by virtue of [The Plant Health \(EU Exit\) \(Scotland\) \(Amendment etc.\) Regulations 2020 \(S.S.I. 2020/466\)](#), regs. 1(1)(c), **17(3)(a)(i)** (with reg. 32)
- F4** Word in reg. 21(1)(c) omitted (31.12.2020) by virtue of [The Plant Health \(EU Exit\) \(Scotland\) \(Amendment etc.\) Regulations 2020 \(S.S.I. 2020/466\)](#), regs. 1(1)(c), **17(3)(a)(ii)** (with reg. 32)

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**Changes to legislation:** *There are currently no known outstanding effects for the The Plant Health (Official Controls and Miscellaneous Provisions) (Scotland) Regulations 2019, Section 21. (See end of Document for details)*

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- F5** Words in reg. 21(1)(c) inserted (31.12.2020) by virtue of The Plant Health (EU Exit) (Scotland) (Amendment etc.) Regulations 2020 (S.S.I. 2020/466), regs. 1(1)(c), **17(3)(a)(iii)** (with reg. 32)
- F6** Reg. 21(3) substituted (31.12.2020) by The Plant Health (EU Exit) (Scotland) (Amendment etc.) Regulations 2020 (S.S.I. 2020/466), regs. 1(1)(a), **5(4)(b)** (with reg. 32)
- F7** Words in reg. 21(3) substituted (31.12.2020) by The Plant Health (EU Exit) (Scotland) (Amendment etc.) Regulations 2020 (S.S.I. 2020/466), regs. 1(1)(c), **17(3)(b)(i)** (with reg. 32)
- F8** Word in reg. 21(3) substituted (1.1.2024) by The Retained EU Law (Revocation and Reform) Act 2023 (Consequential Amendments) (Scotland) Regulations 2023 (S.S.I. 2023/374), reg. 1(1), **sch. 2 para. 35(2)**
- F9** Words in reg. 21(3) substituted (31.12.2020) by The Plant Health (EU Exit) (Scotland) (Amendment etc.) Regulations 2020 (S.S.I. 2020/466), regs. 1(1)(c), **17(3)(b)(ii)** (with reg. 32)

**Changes to legislation:**

There are currently no known outstanding effects for the The Plant Health (Official Controls and Miscellaneous Provisions) (Scotland) Regulations 2019, Section 21.