

## SCOTTISH STATUTORY INSTRUMENTS

# 2019 No. 421

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

### PART 11

#### Offences

##### Obstruction etc.

**42.**—(1) A person commits an offence if the person—

- (a) intentionally obstructs a plant health inspector or an authorised person acting in the execution or enforcement of the <sup>F1</sup>... Plant Health Regulation, the Official Controls Regulation or these Regulations,
- (b) fails to give to a plant health inspector or an authorised person acting in the execution or enforcement of the <sup>F1</sup>... Plant Health Regulation, the Official Controls Regulation or these Regulations any assistance or information which the inspector or authorised person may reasonably require for those purposes,
- (c) fails to produce a document or record when required to do so by a plant health inspector or authorised person acting in the execution or enforcement of the <sup>F1</sup>... Plant Health Regulation, the Official Controls Regulation or these Regulations.

<sup>F2</sup>(2) In paragraph (1)—

- (a) “authorised person” means a person authorised by the Scottish Ministers,
- (b) a reference to the Plant Health Regulation or the Official Controls Regulation includes <sup>F3</sup>assimilated] law adopted, or regulations made, under the Plant Health Regulation or the Official Controls Regulation and any other <sup>F3</sup>assimilated] law relating to plant health.]

##### Textual Amendments

- F1** Word in reg. 42(1)(a)-(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), **20(4)(a)** (with reg. 32)
- F2** Reg. 42(2) substituted (31.12.2020) by [The Plant Health \(EU Exit\) \(Scotland\) \(Amendment etc.\) Regulations 2020 \(S.S.I. 2020/466\)](#), regs. 1(1)(c), **20(4)(b)** (with reg. 32)
- F3** Word in reg. 42(2)(b) 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(4)**

##### Commencement Information

- I1** Reg. 42 in force at 14.12.2019, see reg. 1(1)

**Changes to legislation:**

There are currently no known outstanding effects for the The Plant Health (Official Controls and Miscellaneous Provisions) (Scotland) Regulations 2019, Section 42.