
SCOTTISH STATUTORY INSTRUMENTS

2020 No. 176

The Plant Health (Official Controls and Miscellaneous Provisions) (Miscellaneous Amendments) (Scotland) Regulations 2020

Amendment of the Plant Health (Fees) (Forestry) (England and Scotland) Regulations 2015

25. In regulation 2(1) (interpretation: Scotland) of the Plant Health (Fees) (Forestry) (England and Scotland) Regulations 2015⁽¹⁾—

(a) for the definition of “licence” substitute—

““licence” means—

- (a) a licence referred to in regulation 50(1) of the Plant Health (Official Controls and Miscellaneous Provisions) (Scotland) Regulations 2019⁽²⁾ that has been granted by the Scottish Ministers; or
- (b) an authorisation described in regulation 20(1)(a) or (b) or 21(1)(a) of the Plant Health (Official Controls and Miscellaneous Provisions) (Scotland) Regulations 2019;”,

(b) after the definition of “the Official Controls Regulation” insert—

““Phytosanitary Conditions Regulation” means 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;

“plant health inspector” means an official plant health officer appointed by the Forestry Commissioners for the purposes of the Plant Health (Official Controls and Miscellaneous Provisions)(Scotland) Regulations 2019;”,

(c) for the definition of “plant passport authority” substitute—

““plant passport authority” means an authorisation described in Article 89(1) of the EU Plant Health Regulation granted by the Scottish Ministers;”,

(d) for the definition of “remedial notice” substitute—

““remedial notice” means a notice served by a plant health inspector under regulation 10(2) or 15(1) or (2) of the Plant Health (Official Controls and Miscellaneous Provisions) (Scotland) Regulations 2019;”,

(e) for the definition of “remedial work” substitute—

““remedial work” means any steps taken by a person for the purposes of complying with a remedial notice, or by a plant health inspector under regulation 16(1) of the Plant Health (Official Controls and Miscellaneous Provisions) (Scotland) Regulations 2019;”,

(f) for the definition of “WPM authorisation” substitute—

(1) S.I. 2015/350, as relevantly amended by S.S.I. 2019/421.

(2) S.S.I. 2019/421.

Status: *This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

““WPM authorisation” means an authorisation referred to in Article 98(1) of the EU Plant Health Regulation and granted by the Scottish Ministers.”.