
SCOTTISH STATUTORY INSTRUMENTS

2020 No. 473

**The Invasive Non-native Species (EU Exit)
(Scotland) (Amendment etc.) Regulations 2020**

PART 1

Amendment of the Invasive Alien Species Regulation

Amendment of Chapter 3 (early detection and rapid eradication) of the Invasive Alien Species Regulation

- 5.—(1) Chapter 3 of the Invasive Alien Species Regulation is amended as follows.
- (2) In Article 14—
- (a) After “Within 18 months of” insert “IP completion day and in respect of”
 - (b) in paragraph 1, for “Member States” substitute “the Scottish Ministers”,
 - (c) in paragraph 2—
 - (i) in point (a), for “the territory, including marine territorial waters, of the Member States” substitute “Scotland”,
 - (ii) in point (b), for “the territory or part of the territory of a Member State” substitute “Scotland”,
 - (iii) in point (c), after “set out in” insert “retained EU law which transposed”.
- (3) Omit Article 15.
- (4) In Article 16—
- (a) in paragraph 1—
 - (i) for “Member States” substitute “The Scottish Ministers”,
 - (ii) omit “and the information collected at official controls provided for by Article 15”,
 - (b) in paragraph 2—
 - (i) for “Member States” substitute “The Scottish Ministers”,
 - (ii) for “the Commission” substitute “the Secretary of State, the Welsh Ministers and the Department of Agriculture, Environment and Rural Affairs”,
 - (iii) omit “and inform the other Member States”,
 - (iv) for “on their territory or part of their territory” in both places where it occurs substitute “in Scotland”,
 - (v) for “their territory or in part of their territory” substitute “Scotland”.
- (5) In Article 17—
- (a) in paragraph 1, for “the Commission and inform the other Member States” substitute “the Secretary of State, the Welsh Ministers and the Department of Agriculture, Environment and Rural Affairs”,

- (b) in paragraphs 1 and 2, for “Member States” substitute “the Scottish Ministers”,
- (c) in paragraph 3, for “Member States”, in both places it occurs, substitute “The Scottish Ministers”,
- (d) in paragraph 4—
 - (i) for “Member States shall inform the Commission” substitute “The Scottish Ministers must inform the Secretary of State, the Welsh Ministers and the Department of Agriculture, Environment and Rural Affairs”,
 - (ii) for “the Commission”, in the second place it occurs, substitute “them”,
 - (iii) omit the second sentence.
- (6) In Article 18—
 - (a) in paragraph 1—
 - (i) for “A Member State may” substitute “The Scottish Ministers, after consulting the Secretary of State, the Welsh Ministers and the Department of Agriculture, Environment and Rural Affairs, may”,
 - (ii) omit the second subparagraph,
 - (b) omit paragraphs 2 and 3,
 - (c) in paragraph 4—
 - (i) for “Member States”, in the first place it occurs, substitute “The Scottish Ministers”,
 - (ii) for “Member States”, in the second place it occurs, substitute “parts of Great Britain”,
 - (d) in paragraph 5—
 - (i) for “Commission rejects a decision notified in accordance with the second subparagraph of” substitute “Scottish Ministers decide not to make a decision referred to in”,
 - (ii) for “the Member State concerned” substitute “the Scottish Ministers”,
 - (e) in paragraph 6, for “Commission does not reject a decision notified in accordance with the second subparagraph of” substitute “Scottish Ministers make a decision referred to in”.