
STATUTORY INSTRUMENTS

2022 No. 1367

**The Plant Health and Trade in Animals and
Related Products (Amendment) Regulations 2022**

PART 2

Amendment of legislation relating to plant health

Amendment of the Plant Health (Official Controls and Miscellaneous Provisions) (Scotland) Regulations 2019

4.—(1) The Plant Health (Official Controls and Miscellaneous Provisions) (Scotland) Regulations 2019⁽¹⁾ are amended as follows.

(2) In regulation 17—

- (a) in paragraph (1), for “This regulation” substitute “Paragraph (2)”;
- (b) after paragraph (2) insert—

“(2A) Paragraph (2B) applies where the competent authority in relation to another territory of Great Britain—

- (a) has officially confirmed the presence in its territory of a plant pest to which Article 18 of the Plant Health Regulation applies; and
- (b) has notified the competent authority in relation to Scotland, in accordance with Article 18(4A) of the Plant Health Regulation, that a demarcated area should extend to or be established in Scotland.

(2B) The competent authority may by notice—

- (a) demarcate an area for the purpose of eradicating or containing the plant pest, or for the purpose of preventing the establishment of the pest in Scotland; or
- (b) confirm the proposed demarcation of an area in Scotland previously notified to the competent authority by another competent authority in accordance with Article 18(4A) of the Plant Health Regulation.

(2C) A notice under paragraph (2B) may specify the prohibitions or restrictions which are to apply to the demarcated area for any of the purposes specified in that paragraph.”;

- (c) in paragraph (3), after “paragraph (2)” insert “or (2B)”;
- (d) at the end insert—

“(4) In this regulation, “competent authority” has the meaning given by Article 2(6) of the Plant Health Regulation.”.