

The Fish Health Regulations 1997

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STATUTORY INSTRUMENTS

1997 No. 1881

RIVER, ENGLAND AND WALES

RIVER, SCOTLAND

SALMON AND FRESHWATER FISHERIES

SEA FISHERIES

SHELLFISH

The Fish Health Regulations 1997

Made 30th July 1997 Laid before Parliament 30th July 1997 Coming into force 21st August 1997

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Explanatory Note

The Minister of Agriculture, Fisheries and Food and the Secretary of State, being Ministers designated^[1] for the purposes of section 2(2) of the European Communities Act 1972^[2] in relation to the common agricultural policy of the European Community, acting jointly, in exercise of the powers conferred on them by the said section 2(2), and of all other powers enabling them in that behalf, hereby make the following Regulations:

PART I

INTRODUCTORY

Title, extent and commencement

1. These Regulations may be cited as the Fish Health Regulations 1997, shall apply to Great Britain and shall come into force on 21st August 1997.

Interpretation

2. - (1) In these Regulations -

"approved farm" means a farm complying, as the case may be, with the requirements of Annex CI, II or III of Directive 91/67/EEC and approved as such in accordance with Article 6 of that Directive;

"approved storage centre" means a storage centre or purification centre approved by the Minister as meeting the requirements set out in Schedule 5 Part II;

"approved water station" means a water station approved by the Minister as meeting the requirements set out in Schedule 5 Part I;

"approved zone" means a zone complying, as the case may be, with the provisions of Annex BI, II or III of Directive 91/67/EEC and approved as such in accordance with Article 5 of that Directive;

"aquaculture animals" means live fish, crustaceans or molluscs coming from a farm, including those from the wild intended for a farm;

"aquaculture products" means products derived from aquaculture animals, whether intended for farming, such as eggs and gametes, or for human consumption;

"Commission Decision 93/55/EEC" means Commission Decision of 21st December 1992 amending the guarantees of the introduction of molluscs into zones for which a programme for *Bonamia ostreae* and *Marteilia refringens* has been approved[3] as amended by Commission Decision 93/169/EEC of 19th February 1993 amending Decision 93/55/EEC concerning the guarantees for certain molluscs[4];

"Commission Decision 96/490/EC" means Commission Decision of 18th July 1996 on certain protective measures with regard to *Gyrodactylus salaris* in salmonids[5];

"dead fish" includes any part of a dead fish;

"Directive 91/67/EEC" means Council Directive of 28th January 1991 concerning the animal health conditions governing the placing on the market of aquaculture animals and products[6] which has been amended by and must be read in accordance with the provisions set out in Schedule 7;

"Directive 95/70/EC" means Council Directive of 22nd December 1995 introducing minimum Community measures for the control of certain diseases affecting bivalve molluscs[7];

"eggs" means fertilized ova, including eyed ova and any associated fluid, of fish, crustaceans or molluscs;

"European Inspector" means a Commission expert or Commission veterinary expert acting with regard to Directive 91/67/EEC or Directive 95/70/EC;

"farm" means any establishment or, in general, any geographically defined installation in which aquaculture animals are reared or kept with a view to their being placed on the market;

"farmed" in relation to a fish, crustacean or mollusc means a fish, crustacean or mollusc at or from a farm;

"fish, crustaceans or molluscs" means any fish, crustacean or mollusc at any stage of development;

"Form A" means a movement document for live fish, eggs and gametes from an approved zone in the form set out in Directive 91/67/EEC which is completed, in respect of live fish, eggs and gametes of the salmonid species, in accordance with the provisions of Commission Decision 96/490/EC;

"Form B" means a movement document for live fish, eggs or gametes from an approved farm in the form set out in Directive 91/67/EEC which is completed, in respect of salmonid ova for breeding purposes, with a certification that the eggs have been disinfected in accordance with the requirements of Article 2 of Commission Decision 96/490/EC;

"Form C" means a movement document for molluscs from an approved coastal zone in the form set out in Directive 91/67/EEC;

"Form D" means a movement document for molluscs from an approved farm in the form set out in Directive 91/67/EEC;

"Form E" means a movement document for live farmed fish, molluscs and crustaceans, their eggs and gametes referred to in Article 14 paragraph 1 of Directive 91/67/EEC in the form set out in Commission Decision 93/22/EEC[8];

"Form F" means a movement document for live wild fish, molluscs or crustaceans, their eggs or gametes referred to in Article 14 paragraph 2 of Directive 91/67/EEC in the form set out in Commission Decision 93/22/EEC;

"Form G" means a movement document completed by the Official Service, certifying that the consignment of molluscs originates from an area where there has been no history of bonamiosis or marteiliosis in the previous two years confirmed by tests as provided for in Commission Decision 93/55/EEC;

"Form H" means a movement document completed by the Official Service, certifying that the consignment of molluscs has been submitted at the place of despatch to a check ensuring that it does not contain species other than *Crassostrea gigas*, as required by Commission Decision 93/55/EEC;

"Form I" means a movement document completed by the Official Service, certifying that the site of origin complies with the conditions of Commission Decision 93/44/EEC of 21st December 1992 approving the programmes concerning spring viraemia of carp submitted by the United Kingdom, and defining the additional guarantees for certain fish species for consignment to Great Britain, Northern Ireland, the Isle of Man and Guernsey[9];

"gametes" means sperm or unfertilized ova and any associated fluid of fish, crustaceans or molluscs;

"Great Britain" includes the territorial waters of the United Kingdom adjacent to Great Britain;

"health inspection" means a visit by an Official Service or Services for the purpose of conducting health checks on a farm or zone;

"the Minister" means -

(a) in relation to England, and the territorial waters adjacent to England, the Minister of Agriculture, Fisheries and Food;

(b) in relation to Wales, and the territorial waters adjacent to Wales, the Secretary of State;

(c) in relation to Scotland (including the territorial waters thereof), the Secretary of State;

"movement document" means a document duly completed and -

(a) in the case of Form A, Form B, Form C and Form D corresponding to the forms set out in Directive 91/67/EEC;

(b) in the case of Form E and Form F corresponding to the forms set out in Commission Decision 93/22/EEC; and

(c) in the case of Form G, Form H and Form I complying with these Regulations;

"Official Service" means the veterinary service or any other service of equivalent level designated by the competent authority of a Member State or third country and responsible for carrying out the controls provided for in Directive 91/67/EEC;

"placing on the market" means holding or displaying for sale, offering for sale, selling, delivering, transferring or any other form of placing on the market in the Community, with the exception of retail sale and 'place on the market' shall be construed accordingly;

"premises" includes any place, farm, installation in which aquaculture animals are kept, vehicle, ship, vessel, boat, craft, hovercraft or aircraft;

"veterinary inspector" means a person appointed by the Minister for the purposes of these Regulations;

"wild" in relation to a fish, crustacean or mollusc means any fish, crustacean or mollusc which is not a farmed fish, crustacean or mollusc.

(2) Unless the context otherwise requires, any reference in these Regulations to a numbered regulation or a numbered Schedule shall be construed as a reference to the regulation or Schedule so numbered in these Regulations.

Notes:

[1] S.I. 1972/1811.back

[2] 1972 c.68.back

[3] OJ No. L14, 22.1.93, p.24.back

[4] OJ No. L71, 24.3.93, p.16.back

[5] OJ No. L202, 10.8.96, p.21.back

[6] OJ No. L46, 19.2.91, p.1.back

[7] OJ No. L332, 30.12.95, p.33.back

[8] OJ No. L16, 25.1.93, p.8back

[9] OJ No. L16, 25.1.93, p.53.back

PART II

GENERAL

Placing on the market of aquaculture animals and aquaculture products

3. - (1) No person shall place on the market -

- (a) aquaculture animals unless they meet the requirements set out in paragraph (2) below;
- (b) aquaculture products for breeding purposes unless they originate from aquaculture animals which meet the requirements set out in paragraph (2) below; or
- (c) aquaculture products for human consumption unless they originate from aquaculture animals which meet the requirements set out in sub-paragraph (2)(a) below.

(2) The requirements for aquaculture animals referred to in paragraph (1) above are -

- (a) where placing on the market involves the loading of aquaculture animals, they shall not show clinical signs of disease on the day of loading;
- (b) they shall not be intended for destruction or slaughter under a scheme for the eradication of a disease referred to in Annex A of Directive 91/67/EEC;
- (c) they shall not come from a farm which is subject to a prohibition which has been imposed for aquaculture animal health reasons; and
- (d) they shall not have been in contact with aquaculture animals from a farm which is subject to a prohibition which has been imposed for aquaculture animal health reasons.

(3) The provisions of this regulation are without prejudice to the provisions of regulations 4, 5, 9 and 10 of the Diseases of Fish (Control) Regulations 1994[1].

Transportation of aquaculture animals

4. - (1) No person shall transport aquaculture animals unless the requirements set out in paragraph (2) below are met.

(2) The requirements referred to in paragraph (1) above are -

- (a) the duration of the journey shall be as short as reasonably possible;
- (b) the means of transport shall have been cleaned and disinfected prior to despatch;
- (c) if the aquaculture animals are transported overland in water, they shall be transported in such a manner that the water cannot escape from the vehicle during transport;
- (d) all reasonable steps shall be taken to safeguard the health of the aquaculture animals, including, if appropriate, changing the water in which they are transported; and
- (e) water used in the transport of the aquaculture animals shall only be changed at an approved water station.

Identification of aquaculture animals and aquaculture products

5. - (1) No person shall despatch aquaculture animals or aquaculture products unless information is provided in accordance with paragraph (2) below which -

- (a) identifies the consignment;
- (b) enables the farm of origin or the place of origin of the consignment to be traced; and
- (c) enables the contents of the consignment to be linked to the movement document relating to the consignment, where a movement document is required by these Regulations.

(2) The information referred to in paragraph (1) above shall be provided on the container for the consignment, on a label fixed to the container or on the movement document.

Notes:

[1] S.I. 1994/1447.back

PART III

MOVEMENT WITHIN THE EUROPEAN COMMUNITY

Validity of movement documents

6. - (1) A movement document is not valid unless -

- (a) it is drawn up at the place of origin of the aquaculture animals or aquaculture products to which it relates by the Official Service of the Member State in which the place of origin is situated;
- (b) it is in the official language or languages of the place of destination of the aquaculture animals or aquaculture products to which it relates;
- (c) it is drawn up on a single sheet of paper; and
- (d) it is made out for a single consignee.

(2) A movement document is not valid when -

- (a) it is drawn up more than 48 hours before the aquaculture animals or aquaculture products to which it relates are loaded for despatch;
- (b) the movement to which it relates has not been completed within 10 days of issue;
- (c) it is used in relation to aquaculture animals and aquaculture products other than those in respect of which it was issued; or
- (d) it has been incorrectly issued by an Official Service.

(3) For the purposes of this regulation the expression "place of origin" shall have the same meaning as it has in Article 11 of Directive 91/67/EEC.

Introduction of live fish, eggs and gametes

7. - (1) Any reference in this regulation to a numbered column shall be construed as a reference to the column so numbered in Schedule 2.

(2) Subject to paragraph (3) below, no person shall introduce into a zone specified in column (2) from elsewhere in the European Community, or subsequently move within that zone, any live fish, eggs or gametes specified in column (3) opposite the reference to such zone unless they are accompanied by valid movement documents in the form specified in column (4) opposite the reference to such zone and such live fish, eggs or gametes confirming that -

- (a) they come from an area free from the disease specified in column (5) opposite the reference to such movement document; or
- (b) where a movement document does not require that they come from an area free from such disease, they fulfil the conditions set out in that movement document.

(3) The provisions of this regulation shall not apply to tropical fish kept permanently in aquaria.

Introduction of dead fish

8. - (1) Any reference in this regulation to a numbered column shall be construed as a reference to the column so numbered in Schedule 3.

(2) No person shall introduce into a zone specified in column (2) from elsewhere in the European Community dead fish specified in column (3) opposite the reference to such zone unless they comply with the conditions specified in column (4) opposite the reference to such zone and such dead fish.

Introduction of live molluscs, eggs and gametes

9. - (1) Any reference in this regulation to a numbered column shall be construed as a reference to the column so numbered in Schedule 4.

(2) Subject to paragraph (5) below, no person shall introduce into a zone specified in column (2) from elsewhere in the European Community, or subsequently move within that zone, any live molluscs, eggs or gametes specified in column (3) opposite the reference to such zone with the intention of relaying them unless they are accompanied by valid movement documents in the form specified in column (4) opposite the reference to such zone and such live molluscs, eggs or gametes, confirming that -

(a) they come from an area free from the disease specified in column (5) opposite the reference to such movement document; or

(b) where a movement document does not require that they come from an area free from such disease, they fulfil the conditions set out in that movement document.

(3) Subject to paragraph (5) below, no person shall relay in a zone specified in column (2) any live molluscs, eggs or gametes specified in column (3) opposite the reference to such zone from outside that zone unless they are accompanied by valid movement documents in the form specified in column (4) opposite the reference to such zone and such live molluscs, eggs or gametes, confirming that -

(a) they come from an area free from the disease specified in column (5) opposite the reference to such movement document; or

(b) where a movement document does not require that they come from an area free from such disease, they fulfil the conditions set out in that movement document.

(4) Subject to paragraph (5) below, no person shall relay any live molluscs, eggs or gametes from an area referred to in Schedule 6 -

(a) in another area referred to in Schedule 6; or

(b) outside the areas referred to in Schedule 6;

unless they have been authorised to do so in writing by the Minister.

(5) Paragraphs (2), (3) and (4) above shall not apply to the relaying of live molluscs, eggs or gametes when they are re-laid in an approved storage centre.

(6) For the purposes of this regulation -

"coastal zone" means any waters lying below the high water mark of the ordinary spring tides and any land adjacent to such waters;

"relaying" in relation to molluscs means the deposit or immersion of molluscs in a coastal zone and "relaid" and "relay" shall be construed accordingly.

Quarantine requirements for introductions of wild fish, molluscs and crustaceans for breeding purposes

10. - (1) No person shall introduce into an approved zone or an approved farm any wild fish, molluscs, crustaceans, their eggs or gametes, which have been caught in the deep sea and which are to be used for breeding purposes unless those fish, molluscs, crustaceans, eggs or gametes are first placed in quarantine in suitable facilities and in appropriate conditions to be determined by the Minister.

(2) The provisions of this regulation shall not apply to tropical fish kept permanently in aquaria.

Export to other parts of the European Community of aquaculture animals and aquaculture products from Great Britain

11. - (1) No person shall export from Great Britain to another part of the European Community any aquaculture animal or aquaculture product which does not meet, or is not despatched in accordance with, the requirements of the relevant provisions of Directive 91/67/EEC (including any option permitted by that Directive which has been exercised in relation to its destination) or which is not accompanied by any documents required under Directive 91/67/EEC.

(2) For the purposes of this regulation the relevant provisions of Directive 91/67/EEC are Articles 3, 4, 7 to 11 inclusive, 14 and 16.

PART IV

DISEASE AND POWERS

Notification of disease

12. - (1) Any person who -

(a) knows of any observed abnormal mortality amongst bivalve molluscs in farms, farming areas, harvested natural beds, or purification centres or storage tanks which discharge water into the sea;

(b) knows of any symptom amongst fish or molluscs which might constitute grounds for suspecting the presence of a disease listed in Schedule 1;

(c) has any reason for suspecting the presence amongst fish or molluscs of a disease listed in Schedule 1;

shall notify the Minister as quickly as possible.

(2) Any person who has in his possession or under his charge an infected item, or an item which he suspects is an infected item, shall detain it until -

(a) it has been examined by a veterinary inspector; or

(b) a veterinary inspector has instructed him to dispose of it.

(3) A veterinary inspector shall have powers to take such samples of or from fish or molluscs as may be necessary to establish whether a disease listed in Schedule 1 is present amongst fish or molluscs.

(4) For the purposes of this regulation -

"infected item" means a fish or mollusc or the carcass or part of the carcass of the same which is infected with a disease listed in Schedule 1; and

"observed abnormal mortality" shall have the meaning it is given in Article 2 of Directive 95/70/EC.

Powers - diseases of fish

13. If the result of a test for the presence of a disease of fish listed in Schedule 1 is positive, the Minister may, by notice in writing served on the person appearing to have charge of any fish, facilities or equipment -

- (a) require the slaughter of all fish in infected farms;
- (b) require the destruction of all infected or contaminated fish; and
- (c) require the disinfection of facilities and equipment.

Powers - diseases of molluscs

14. - (1) If a veterinary inspector has reasonable grounds for suspecting amongst molluscs the presence of a disease listed in Schedule 1 he may -

(a) by notice in writing served on the person appearing to have charge of any molluscs kept on such premises as are specified in the notice, prohibit the movement of any molluscs on to or off such premises, except under the written authority of the Minister; or

(b) by notice in writing served on any person appearing to him to be appropriate, prohibit the taking of any molluscs from any area as is specified in the notice except under the written authority of the Minister.

(2) A notice served under paragraph (1) above shall remain in force until withdrawn by a further notice in writing served by a veterinary inspector on the person on whom the initial notice was served.

(3) If the result of a test for the presence of a disease of molluscs listed in Schedule 1 is positive, the Minister may, by notice in writing served on the person appearing to have charge of any molluscs, facilities or equipment -

(a) require the destruction of all infected or contaminated molluscs; and

(b) require the disinfection of facilities and equipment.

Powers of veterinary inspector

15. - (1) Subject to regulation 10 of the Animals and Animal Products (Import and Export) Regulations 1995[1] and regulation 13 of the Products of Animal Origin (Import and Export) Regulations 1996[2] a veterinary inspector shall have the powers set out in this regulation.

(2) A veterinary inspector shall, on producing, if required to do so, some duly authenticated document showing his authority, have the right at all reasonable hours to enter any land or premises for the purposes of ascertaining whether there is or has been on the premises any contravention of these Regulations.

(3) A veterinary inspector shall have powers to carry out all checks and examinations necessary for the enforcement of these Regulations, and in particular may -

(a) carry out inspections of any premises;

(b) take samples of or from aquaculture animals or aquaculture products;

(c) examine relevant documentary or computer material.

(4) A veterinary inspector shall have powers to make such inspections and take such samples as may be necessary to carry out the health inspections, sampling plans and diagnostic methods established by Directive 91/67/EEC or Directive 95/70/EC.

(5) A veterinary inspector entering any premises under these Regulations may take with him such persons, equipment and vehicles as are necessary for the purpose of facilitating the exercise of his powers under these Regulations.

Failure to comply with a notice

16. If any person fails to comply with the requirements of a notice served under these Regulations then, without prejudice to any proceedings consequent upon such failure, a veterinary inspector may enter on any premises to which such notice relates and take or cause to be taken such steps as appear to the veterinary

inspector to be necessary either to ensure compliance with the requirements of the notice or to remedy the consequences of the failure to carry them out, and all reasonable costs of taking such steps shall be recoverable by the Minister from the person on whom the notice was served.

Extension of the Animals and Animal Products (Import and Export) Regulations 1995 and the Products of Animal Origin (Import and Export) Regulations 1996

17. - (1) The Animals and Animal Products (Import and Export) Regulations 1995 and the Products of Animal Origin (Import and Export) Regulations 1996, to the extent that those regulations apply to aquaculture animals and aquaculture products, shall have effect as if the relevant areas were another Member State.

(2) For the purposes of this regulation "the relevant areas" means Northern Ireland, the Isle of Man and any of the Channel Islands.

Obstruction

18. - (1) No person shall -

(a) intentionally obstruct any person acting in the execution of these Regulations;

(b) without reasonable cause, fail to give to any person acting in the execution of these Regulations any assistance or information which that person may reasonably require of him for the purposes of his functions under these Regulations; or

(c) furnish to any person acting in the execution of these Regulations any information which he knows to be false or misleading.

(2) Nothing in paragraph (1)(b) above shall be construed as requiring any person to answer or give any information if to do so might incriminate him.

Powers - European Inspectors

19. A European Inspector may accompany any person who is enforcing these Regulations for the purpose of establishing whether Directive 91/67/EEC and Directive 95/70/EC are applied in a uniform way.

Notes:

[1] S.I. 1995/2428; the only relevant amending instrument is S.I. 1996/1111.back

[2] S.I. 1996/3124.back

PART V

OFFENCES AND PENALTIES

Offences by directors etc.

20. - (1) Where a body corporate is guilty of an offence under these Regulations, and that offence is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of -

(a) any director, manager, secretary or other similar officer of the body corporate, or

(b) any person who was purporting to act in such capacity,

he, as well as the body corporate, shall be guilty of the offence and be liable to be proceeded against and punished accordingly.

(2) For the purposes of paragraph (1) above, "director", in relation to a body corporate whose affairs are managed by its members, means a member of the body corporate.

(3) Where an offence under these Regulations is committed in Scotland by a Scottish partnership and is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of, a partner, he as well as the partnership shall be guilty of the offence and be liable to be proceeded against and punished accordingly.

Offences

21. - (1) Any person who contravenes, or fails to comply with, a provision of these Regulations or a provision or requirement of a notice served in accordance with the provisions of these Regulations, shall be guilty of an offence.

(2) Any person who, for the purposes of procuring the issue of a movement document -

(a) makes a statement which he knows to be false in a material particular;

(b) recklessly make a statement which is false in a material particular; or

(c) intentionally fails to disclose any material particular,

shall be guilty of an offence.

Penalties

22. - (1) A person who is guilty of an offence by reason of his failure to comply with provisions of regulation 12(1) shall be liable on summary conviction to a fine not exceeding level 4 on the standard scale.

(2) A person guilty of any other offence under these Regulations shall be liable on summary conviction to a fine not exceeding level 5 on the standard scale.

Amendment of the Registration of Fish Farming and Shellfish Farming Businesses Order 1985

23. Part II of Schedule 3 to the Registration of Fish Farming and Shellfish Farming Businesses Order 1985[1] shall be amended by adding after paragraph 2 -

" 3. Observed abnormal mortality, as defined in Article 2 of Council Directive 95/70/EC of 22nd December 1995 introducing minimum Community measures for the control of certain diseases affecting bivalve molluscs."

Revocation

24. The Fish Health Regulations 1992[2], the Fish Health (Amendment) Regulations 1993[3], the Fish Health (Amendment) Regulations 1994[4] and the Fish Health (Amendment) Regulations 1995[5] are hereby revoked.

Elliot Morley

Parliamentary Secretary, Ministry of Agriculture, Fisheries and Food

30th July 1997

Sewel

Parliamentary Under Secretary of State, Scottish Office

29th July 1997

Notes:

[1] S.I. 1985/1319, amended by S.I. 1994/1447.back

[2] S.I. 1992/3300.back

[3] S.I. 1993/2255.back

[4] S.I. 1994/1448.back

[5] S.I. 1995/886.back

ARRANGEMENT OF SCHEDULES

SCHEDULE 1

Regulations 12, 13 and 14

LIST OF DISEASES

1. Infectious Salmon Anaemia
2. Infectious haematopoietic necrosis (referred to in these Regulations as "IHN")
3. Viral haemorrhagic septicaemia (referred to in these Regulations as "VHS")
4. Bonamiosis
5. Haplosporidiosis
6. Iridovirosis
7. Marteiliosis
8. Mikrocytosis
9. Perkinsosis

SCHEDULE 2

Regulation 7

ZONES IN GREAT BRITAIN - LIVE FISH, EGGS AND GAMETES

Item Zone(a) Live fish, eggs and gametes(b) Form of movementdocument Diseases(c) (1) (2) (3) (4) (5)
1Great Britain excluding the Island of GighaLive farmed and wild fish and gametes of farmed and wild fish
of the species -

Salmonid sp.

Form AIHN, VHS and GS2Great Britain excluding the Island of GighaEggs of farmed fish of the species -

Salmonid sp.

Form A

Form B

IHN, VHS and GS

IHN, VHS and GS

3 Great Britain excluding the Island of Gigha Eggs of wild fish of the species -

Salmonid sp.

Form AIHN, VHS and GS4 Great Britain excluding the Island of Gigha Live farmed fish of the species -

Thymallus thymallus

Coregonus sp.

Scophthalmus maximus

Form A

Form E

VHS

IHN

5 Great Britain excluding the Island of Gigha Live wild fish of the species -

Thymallus thymallus

Coregonus sp.

Scophthalmus maximus

Form A

Form F

VHS

IHN

6 Great Britain excluding the Island of Gigha Eggs and gametes of farmed fish of the species -

Thymallus thymallus

Coregonus sp.

Scophthalmus maximus

Form A or Form B

Form E

VHS

IHN

7 Great Britain excluding the Island of Gigha Eggs and gametes of wild fish of the species -

Thymallus thymallus

Coregonus sp.

Scophthalmus maximus

Form A

Form F

VHS

IHN

8 Great Britain excluding the Island of Gigha Live farmed fish of the species -

Esox lucius

Form A

Form E

Form I

VHS

IHN

SVC

9 Great Britain excluding the Island of Gigha Live wild fish of the species -

Esox lucius

Form A

Form F

Form I

VHS

IHN

SVC

10 Great Britain excluding the Island of Gigha Eggs and gametes of farmed fish of the species -

Esox lucius

Form A or Form B

Form E

Form I

VHS

IHN

SVC

11 Great Britain excluding the Island of Gigha Eggs and gametes of wild fish of the species -

Esox lucius

Form A

Form F

Form I

VHS

IHN

SVC

12 Great Britain excluding the Island of Gigha Live farmed and wild fish of the species -

Esox lucius (fry only)

Form A

Form I

IHN and VHS

SVC

13 Great Britain excluding the Island of Gigha Live farmed fish, their eggs and gametes of the following species -

Carassius auratus

Carassius carassius

Cyprinus carpio

Ctenopharyngodon idella

Hypophthalmichthys molitrix

Hypophthalmichthys nobilis

Leuciscus idus

Rutilus rutilus

Scardinius erythrophthalmus

Siluris glanis

Tinca tinca

Form E

Form I

IHN and VHS

SVC

14 Great Britain excluding the Island of Gigha Live wild fish, their eggs and gametes of the following species -

Carassius auratus

Carassius carassius

Cyprinus carpio

Ctenopharyngodon idella

Hypophthalmichthys molitrix

Hypophthalmichthys nobilis

Leuciscus idus

Rutilus rutilus

Scardinius erythrophthalmus

Siluris glanis

Tinca tinca

Form F

Form I

IHN and VHS

SVC

15 Great Britain excluding the Island of Gigha Live farmed fish, their eggs and gametes other than -

(1) fish of the following species -

Salmonid sp.

Thymallus thymallus

Coregonus sp.

Esox lucius (including fry)

Scophthalmus maximus

Carassius auratus

Carassius carassius

Cyprinus carpio

Ctenopharyngodon idella

Hypophthalmichthys molitrix

Hypophthalmichthys nobilis

Leuciscus idus

Rutilus rutilus

Scardinius erythrophthalmus

Siluris glanis

Tinca tinca

their eggs and gametes (2) ornamental tropical fish kept permanently in aquaria.

Form EIHN and VHS16 Great Britain excluding the Island of Gigha Live wild fish, their eggs and gametes other than -

(1) fish of the following species -

Salmonid sp.

Thymallus thymallus

Coregonus sp.

Esox lucius (including fry)

Scophthalmus maximus

Carassius auratus

Carassius carassius

Cyprinus carpio

Ctenopharyngodon idella

Hypophthalmichthys molitrix

Hypophthalmichthys nobilis

Leuciscus idus

Rutilus rutilus

Scardinius erythrophthalmus

Siluris glanis

Tinca tinca

their eggs and gametes (2) ornamental tropical fish kept permanently in aquaria.

Form FIHN and VHS17The Island of GighaLive farmed and wild fish and gametes of farmed and wild fish of the species -

Salmonid sp.

Form AIHN, VHS and GS18The Island of GighaEggs of farmed fish of the species -

Salmonid sp.

Form A

Form B

IHN, VHS and GS

IHN, VHS and GS

19The Island of GighaEggs of wild fish of the species -

Salmonid sp.

Form AIHN, VHS and GS20The Island of GighaLive farmed fish of the species -

Thymallus thymallus

Coregonus sp.

Scophthalmus maximus

Form A

Form E

VHS

IHN

21The Island of GighaLive wild fish of the species -

Thymallus thymallus

Coregonus sp.

Scophthalmus maximus

Form A

Form F

VHS

IHN

22The Island of GighaEggs and gametes of farmed fish of the species -

Thymallus thymallus

Coregonus sp.

Scophthalmus maximus

Form A or Form B

Form E

VHS

IHN

23The Island of GighaEggs and gametes of wild fish of the species -

Thymallus thymallus

Coregonuys sp.

Scophthalmus maximus

Form A

Form F

VHS

IHN

24The Island of GighaLive farmed fish of the species -

Esox lucius

Form A

Form E

Form I

VHS

IHN

SVC

25The Island of GighaLive wild fish of the species -

Esox lucius

Form A

Form F

Form I

VHS

IHN

SVC

26The Island of GighaEggs and gametes of farmed fish of the species -

Esox lucius

Form A or Form B

Form E

Form I

VHS

IHN

SVC

27The Island of GighaEggs and gametes of wild fish of the species -

Esox lucius

Form A

Form F

Form I

VHS

IHN

SVC

28The Island of GighaLive farmed and wild fish of the species -

Esox lucius (fry only)

Form A

Form I

IHN and VHS

SVC

29The Island of GighaLive farmed fish, their eggs and gametes of the following species -

Carassius auratus

Carassius carassius

Cyprinus carpio

Ctenopharyngodon idella

Hypophthalmichthys molitrix

Hypophthalmichthys nobilis

Leuciscus idus

Rutilus rutilus

Scardinius erythrophthalmus

Siluris glanis

Tinca tinca

Form E

Form I

IHN and VHS

SVC

30The Island of GighaLive wild fish, their eggs and gametes of the following species -

Carassius auratus

Carassius carassius

Cyprinus carpio

Ctenopharyngodon idella

Hypophthalmichthys molitrix

Hypophthalmichthys nobilis

Leuciscus idus

Rutilus rutilus

Scardinius erythrophthalmus

Siluris glanis

Tinca tinca

Form F

Form I

IHN and VHS

SVC

31The Island of GighaLive farmed fish, their eggs and gametes and other than -

(1) fish of the following species -

Salmonid sp.

Thymallus thymallus

Coregonus sp.

Esox lucius (including fry)

Scophthalmus maximus

Carassius auratus

Carassius carassius

Cyprinus carpio

Ctenopharyngodon idella

Hypophthalmichthys molitrix

Hypophthalmichthys nobilis

Leuciscus idus

Rutilus rutilus

Scardinius erythrophthalmus

Siluris glanis

Tinca tinca

their eggs and gametes (2) ornamental tropical fish kept permanently in aquaria.

Form EIHN and VHS32The Island of GighaLive farmed fish, their eggs and gametes other than -

(1) fish of the following species -

Salmonid sp.

Thymallus thymallus

Coregonus sp.

Esox lucius (including fry)

Scophthalmus maximus

Carassius auratus

Carassius carassius

Cyprinus carpio

Ctenopharyngodon idella

Hypophthalmichthys molitrix

Hypophthalmichthys nobilis

Leuciscus idus

Rutilus rutilus

Scardinius erythrophthalmus

Siluris glanis

Tinca tinca

their eggs and gametes (2) ornamental tropical fish kept permanently in aquaria.

Form FIHN and VHS

(a) For the purposes of this schedule the "Island of Gigha" shall mean the area bounded by a continuous line drawn from a point at 55°44'.42" north latitude and 5°40'.50" west longitude; then in a westerly direction to a point at 55°44'.33" north latitude and 5°45'.14" west longitude; then in a south-westerly direction to a point at 55°40'.32" north latitude and 5°47'.54" west longitude; then in a south-easterly direction to a point at 55°36'.37" north latitude and 5°47'.04" west longitude; then in an easterly direction to a point at 55°36'.44" north latitude and 5°43'.27" west longitude; then in a north-easterly direction to a point at 55°41'.16" north latitude and 5°41'.31" west longitude; and then in a north-easterly direction to the point of beginning.

(b) The common names of the fish referred to in this Section are as follows:

Name Common Name Salmonid sp. Salmonids Thymallus thymallus Grayling Coregonus sp. Whitefishes Esox lucius Pike Scophthalmus maximus Turbot Carassius auratus Gold fish and all variants Carassius carassius Crucian Carp Cyprinus carpio Common carp and all variants such as mirror carp, leather carp, koi carp and hygoi carp Ctenopharyngodon idella Grass carp Hypophthalmichthys molitrix Silver carp Hypophthalmichthys nobilis Bighead carp Leuciscus idus Orfe Rutilus rutilus Roach Scardinius erythrophthalmus Rudd Siluris glanis Wels Catfish Tinca tinca Tench

(c) The full names of the diseases in column 4 are set out in Schedule 1 except for -

(i) GS which is Gyrodactylus salaris an external parasite of salmonids which can cause the disease Gyrodactylosis; and

(ii) SVC which is Spring Viraemia of Carp.

SCHEDULE 3

Regulation 8

ZONES IN GREAT BRITAIN - DEAD FISH

Item Zone (a) Dead fish (b) Conditions (c) (1) (2) (3) (4) 1 Great Britain excluding the Island of Gigha Dead fish of the species -

Salmonid sp.

The fish was slaughtered and eviscerated prior to despatch. 2 Great Britain excluding the Island of Gigha Dead uneviscerated fish of the species -

Salmonid sp.

The fish is from an approved zone or an approved farm free of IHN and VHS and was slaughtered prior to despatch.³ Great Britain excluding the Island of Gigha Dead uneviscerated fish of the species -

Esox lucius (fry only)

The fish is from an approved zone or an approved farm free of IHN and VHS and was slaughtered prior to despatch.⁴ Great Britain excluding the Island of Gigha Dead uneviscerated fish of the species -

Thymallus thymallus

Coregonus sp.

Esox lucius (other than fry)

Scophthalmus maximus

The fish is from an approved zone or an approved farm free of VHS and was slaughtered prior to despatch.⁵ The Island of Gigha Dead fish of the species -

Salmonid sp.

Thymallus thymallus

Coregonus sp.

Esox lucius

Scophthalmus maximus

The fish was slaughtered and eviscerated prior to despatch.⁶ The Island of Gigha Dead uneviscerated fish of the species -

Salmonid sp.

The fish is from an approved zone or an approved farm free of IHN and VHS and was slaughtered prior to despatch.⁷ The Island of Gigha Dead uneviscerated fish of the species -

Esox lucius (fry only)

The fish is from an approved zone or an approved farm free of IHN and VHS and was slaughtered prior to despatch.⁸ The Island of Gigha Dead fish (whether uneviscerated or not) of the species -

Thymallus thymallus

Coregonus sp.

Esox lucius (other than fry)

Scophthalmus maximus

The fish is from an approved zone or an approved farm free of VHS and was slaughtered prior to despatch.

(a) For the purposes of this Schedule the "Island of Gigha" shall mean the area bounded by a continuous line drawn from a point at 55°44'.42" north latitude and 5°40'.50" west longitude; then in a westerly direction to a point at 55°44'.33" north latitude and 5°45'.14" west longitude; then in a south-westerly direction to a point at 55°40'.32" north latitude and 5°47'.54" west longitude; then in a south-easterly direction to a point at

55°36'.37" north latitude and 5°47'.04" west longitude; then in an easterly direction to a point at 55°36'.44" north latitude and 5°43'.27" west longitude; then in a north-easterly direction to a point at 55°41'.16" north latitude and 5°41'.31" west longitude; and then in a north-easterly direction to the point of beginning.

(b) The common names of the fish referred to in this Schedule are as follows:

Name Common Name Salmonid sp. Salmonids Thymallus thymallus Grayling Coregonus sp. White fishes Esox lucius Pike Scophthalmus maximus Turbot

(a) The full names of the diseases in column 4 are set out in Schedule 1.

SCHEDULE 4

Regulation 9

ZONES IN GREAT BRITAIN - LIVE MOLLUSCS, EGGS AND GAMETES

Item Zone Live fish, eggs and gametes (a) Form of movement document Diseases (1) (2) (3) (4) (5) 1 Great Britain Live farmed molluscs of the species *Ostrea edulis*, their eggs and gametes Form C, Form D or Form G Bonamiosis Marteiliosis 2 Great Britain Live wild molluscs of the species *Ostrea edulis*, their eggs and gametes Form C or Form G Bonamiosis Marteiliosis 3 Great Britain Live farmed molluscs of the species *Crassostrea gigas*, their eggs and gametes Form E or Form G

Form H

Bonamiosis Marteiliosis 4 Great Britain Live wild molluscs of the species *Crassostrea gigas*, their eggs and gametes Form F Form G

Form H

Bonamiosis Marteiliosis 5 Great Britain Live farmed molluscs, their eggs and gametes of species other than the species -

Ostrea edulis

Crassostrea gigas

Form E or Form G Bonamiosis Marteiliosis 6 Great Britain Live wild molluscs, their eggs and gametes of species other than the species -

Ostrea edulis

Crassostrea gigas

Form F or Form G Bonamiosis Marteiliosis

(b) The common name of *Ostrea edulis* is flat oyster.

The common name of *Crassostrea gigas* is Pacific oyster.

SCHEDULE 5

PART I

Regulations 2 and 4

REQUIREMENTS FOR WATER STATION

1. The hygienic properties of the water available for changing must be such as not to alter the health situation of the species transported with regard to the agents of the diseases referred to in Schedule 1.

2. These facilities shall contain devices designed to prevent any contamination of the host environment:

- either by facilitating disinfection of the water, or

- by ensuring that release of this water does not under any circumstances entail direct discharge into tidal or inland waters.

PART II

Regulations 2 and 9

REQUIREMENTS FOR STORAGE CENTRE

The storage centre shall treat and disinfect all water which leaves the storage centre so as to prevent any contamination of the host environment.

SCHEDULE 6

Regulation 9

RESTRICTED AREAS (MOLLUSCS)

In this Schedule a group of two letters and eight figures identifying or associated with any point represents the map co-ordinates of that point estimated to the nearest ten metres on the grid of the national reference system used by Ordnance Survey on its maps and plans.

The areas of water comprising tidal waters (whether forming part of the sea or not) within the seaward limits of the territorial waters adjacent to Great Britain which lie between or within, as the case may be, the limits specified below -

Area 1 A line drawn due south from the southernmost tip of Start Point at SX 82943712 and a line drawn due south from the Lizard Lighthouse at SW 70401156.

Area 2 A line drawn due south from Portland Bill at SY 67746836 and a line drawn due south from the southernmost tip of Selsey Bill at SZ 85709212.

Area 3 A line drawn due east from the landward end of the jetty at Landguard Point, Felixstowe at TM 28303117 and a line drawn due east from the landward end of Barge Pier, Shoeburyness at TQ 93108393.

SCHEDULE 7

Regulation 2

MEANING OF "DIRECTIVE 91/67/EEC"

DECISIONS MADE UNDER COUNCIL DIRECTIVE 91/67/EEC

Decision OJ Reference Commission Decision 92/528/EEC of 9th November 1992 approving the programmes concerning bonamiosis and marteiliosis submitted by the United Kingdom.OJ No. L332, 8.11.92, p.25.Commission Decision 92/532/EEC of 19th November 1992 laying down the sampling plans and diagnostic methods for the detection and confirmation of certain fish diseases.OJ No. L337, 21.11.92, p.18.Commission Decision 92/538/EEC of 9th November 1992 concerning the status of Great Britain and Northern Ireland with regard to infectious haematopoietic necrosis and viral haemorrhagic septicaemia.OJ No. L347, 28.11.92, p.67.Commission Decision 93/22/EEC of 11th December 1992 laying down the model of the movement documents referred to in Article 14 of Council Directive 91/67/EEC.OJ No. L16, 25.1.93, p.8.Commission Decision 93/39/EEC of 18th December 1992 concerning the status of Guernsey with regard

to infectious haematopoietic necrosis and viral haemorrhagic septicaemia.OJ No. L16, 25.1.93, p.46.Commission Decision 93/40/EEC of 18th December 1992 concerning the status of the Isle of Man with regard to infectious haematopoietic necrosis and viral haemorrhagic septicaemia.OJ No. L16, 25.1.93, p.47.Commission Decision 93/44/EEC of 21st December 1992 approving the programmes concerning spring viraemia of carp submitted by the United Kingdom, and defining the additional guarantees for certain fish species for consignment to Great Britain, Northern Ireland, the Isle of Man and Guernsey.OJ No. L16, 25.1.93, p.53.Commission Decision 93/55/EEC of 21st December 1992 amending the guarantees for the introduction of molluscs into zones for which a programme for Bonamia ostreae and Marteilia refringens has been approved.OJ No. L14, 22.1.93, p.24.Commission Decision 93/56/EEC of 21st December 1992 approving the programme concerning bonamiosis and marteiliosis submitted by Ireland.OJ No. L14, 22.1.93, p.25.Commission Decision 93/57/EEC of 21st December 1992 approving the programme concerning bonamiosis and marteiliosis submitted by the United Kingdom for Jersey.OJ No. L14, 22.1.93, p.26.Commission Decision 93/58/EEC of 21st December 1992 approving the programme concerning bonamiosis and marteiliosis submitted by the United Kingdom for Guernsey.OJ No. L14, 22.1.93, p.27.Commission Decision 93/59/EEC of 21st December 1992 approving the programme concerning bonamiosis and marteiliosis submitted by the United Kingdom for the Isle of Man.OJ No. L14, 22.1.93, p.28.Commission Decision 93/73/EEC of 21st December 1992 concerning the status of Ireland with regard to infectious haematopoietic necrosis and viral haemorrhagic septicaemia.OJ No. L27, 4.2.93, p.34.Commission Decision 93/74/EEC of 21st December 1992 concerning the status of Denmark with regard to infectious haematopoietic necrosis and viral haemorrhagic septicaemia.OJ No. L27, 4.2.93, p.35.Commission Decision 93/169/EEC of 19th February 1993 amending Decision 93/55/EEC concerning the guarantees for certain molluscs.OJ No. L71, 24.3.93, p.16.Commission Decision 94/306/EC of 16th May 1994 laying down the sampling plans and diagnostic methods for the detection and confirmation of certain mollusc diseases.OJ No. L133, 28.5.94, p.51.Commission Decision 94/450/EC of 24th June 1994 amending Decision 93/74/EEC concerning the status of Denmark with regard to infectious haematopoietic necrosis and viral haemorrhagic septicaemia.OJ No. L187, 22.7.94, p.8.Commission Decision 94/722/EC of 25th October 1994 approving the programme concerning bonamiosis and marteiliosis submitted by France.OJ No. L288, 9.11.94, p.47.Commission Decision 94/817/EC of 15th December 1994 amending Decision 92/538/EEC concerning the status of Great Britain and Northern Ireland with regard to infectious haematopoietic necrosis and viral haemorrhagic septicaemia.OJ No. L337, 24.12.94, p.88.Commission Decision 94/862/EC of 20th December 1994 approving the programme concerning infectious haematopoietic necrosis and viral haemorrhagic septicaemia submitted by Spain for the region of Asturias.OJ No. L352, 31.12.94, p.72.Commission Decision 94/865/EC of 20th December 1994 amending Decision 93/44/EEC approving the programmes concerning spring viraemia of carp submitted by the United Kingdom, and defining the additional guarantees of certain fish species for consignment to Great Britain, Northern Ireland, the Isle of Man and Guernsey.OJ No. L352, 31.12.94, p.75.Commission Decision 95/124/EC of 3rd April 1995 establishing the list of approved fish farms in Germany.OJ No. L84, 14.4.95, p.6.Commission Decision 95/125/EC of 4th April 1995 on the status of France as regards infectious haematopoietic necrosis and viral haemorrhagic septicaemia.OJ No. L84, 14.4.95, p.8.Commission Decision 96/265/EC of 1st April 1996 amending Decision 95/124/EC establishing the list of approved fish farms in Germany.OJ No. L91, 12.4.96, p.72.Commission Decision 95/470/EC of 25th October 1995 establishing the list of approved fish farms in Belgium.OJ No. L269, 11.11.95, p.28.Commission Decision 95/473/EC of 27th October 1995 establishing the list of approved fish farms in France.OJ No. L269, 11.11.95, p.31.Commission Decision 95/479/EC of 7th November 1995 approving the programme on infectious haematopoietic necrosis and viral haemorrhagic septicaemia submitted by Finland.OJ No. L275, 18.11.95, p.23.Commission Decision 95/481/EC of 8th November 1995 amending Decision 95/125/EC on the status of France as regards infectious haematopoietic necrosis and viral haemorrhagic septicaemia.OJ No. L275, 18.11.95, p.26.Commission Decision 96/218/EC of 8th March 1996 amending for the second time Decision 93/74/EEC concerning the status of Denmark with regard to infectious haematopoietic necrosis and viral haemorrhagic septicaemia.OJ No. L72, 21.3.96, p.39.Commission Decision 96/221/EC of 8th March 1996 approving the programme concerning viral haemorrhagic septicaemia for certain geographical zones presented by Denmark.OJ No. L74, 22.3.96, p.42.Commission Decision 96/233/EC of 14th March 1996 establishing the list of approved fish farms in Denmark.OJ No. L77, 27.3.96, p.33.Commission Decision 96/240/EC of 5th February 1996 amending Decision 92/532/EEC laying down the sampling plans and diagnostic methods for the detection and confirmation of certain fish diseases.OJ No. L79, 29.3.96, p.19.Commission Decision 96/265/EC of 1st April 1996 amending Decision 95/124/EC establishing the list of approved fish farms in Germany.OJ No. L91, 12.4.96, p.72.Commission Decision 96/289/EC of 16th April 1996 amending Decision 95/473/EC

establishing the list of approved fish farms in France.OJ No. L109, 3.5.96, p.23.Commission Decision 97/185/EC of 28th February 1997 approving the programme of viral haemorrhagic septicaemia submitted by the United Kingdom.OJ No. L77, 19.3.97, p.31.Commission Decision 97/227/EC of 3rd March 1997 amending Decision 95/473/EC establishing the list of approved fish farms in France.OJ No. L91, 5.4.97, p.33.Commission Decision 97/228/EC of 3rd March 1997 amending Decision 95/124/EC establishing the list of approved fish farms in Germany.OJ No. L91, 5.4.97, p.35.Commission Decision 97/234/EC of 3rd March 1997 amending Decision 96/233/EC establishing the list of approved fish farms in Denmark.OJ No. L94, 9.4.97, p.15.

DIRECTIVES AMENDING COUNCIL DIRECTIVE 91/67/EEC

Directive OJ Reference Council Directive 93/54/EEC of 24th June 1993 amending Directive 91/67/EEC concerning the animal health conditions governing the placing on the market of aquaculture animals and products.OJ No. L175, 19.7.93, p.34.Council Directive 95/22/EC of 22nd June 1995 amending Directive 91/67/EEC concerning the animal health conditions governing the placing on the market of aquaculture animals and products.OJ No. L243, 11.10.95, p.1.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations revoke and re-enact with amendments the Fish Health Regulations 1992 (S.I. 1992/3300) as amended.

The Regulations, which apply to Great Britain, implement Council Directive 91/67/EEC (OJ No. L46, 19.2.91, p.1) concerning the animal health conditions governing the placing on the market of aquaculture animals and products, as amended, and Council Directive 95/70/EC (OJ No. L332, 30.12.95, p.33) introducing minimum Community measures for the control of certain diseases affecting bivalve molluscs, ("the Directives"), to the extent that they are not implemented by existing legislation.

The Regulations -

- (a) prohibit the placing on the market of aquaculture animals and products unless certain requirements relating to their health status are met (regulation 3);
- (b) prohibit the transport of aquaculture animals unless certain requirements relating to the welfare of the aquaculture animals and the prevention of the spread of disease are met (regulation 4);
- (c) prohibit the despatch of aquaculture animals and products unless requirements as to identification of the aquaculture animals and products are met (regulation 5);
- (d) contain certain requirements concerning movement documents for aquaculture animals and products (regulation 6);
- (e) prohibit the introduction into Great Britain from elsewhere in the European Community and from the Island of Gigha to the remainder of Great Britain of live fish, eggs and gametes unless they are accompanied by appropriate movement documents (regulation 7);
- (f) prohibit the introduction into Great Britain from elsewhere in the European Community and from the Island of Gigha to the remainder of Great Britain of certain dead fish which have not been eviscerated unless they come from areas of appropriate fish health status (regulation 8);
- (g) prohibit the introduction into Great Britain from elsewhere in the European Community of live molluscs, eggs and gametes unless they are accompanied by appropriate movement documents (regulation 9);
- (h) regulate the relaying within the Great Britain of live molluscs, eggs and gametes from certain areas within Great Britain (regulation 9);

- (i) set out the requirement for quarantine of certain introductions of wild fish, molluscs and crustacea from the deep sea (regulation 10);
- (j) prohibit the export to other parts of the European Community of aquaculture animals and products from Great Britain unless they are accompanied by appropriate movement documents where required pursuant to the Directive (regulation 11);
- (k) require the notification of certain diseases (regulation 12);
- (l) provide the Minister with powers to impose movement restrictions and to require slaughter and disinfection in connection with certain diseases (regulations 13 and 14);
- (m) set out the arrangements regarding, and provide powers for, the enforcement of these Regulations (regulations 15 to 18);
- (n) provide European Inspectors with certain powers to establish whether the Directives are applied uniformly (regulation 19);
- (o) provide that further persons may be deemed to be guilty of an offence when an offence is committed by a body corporate or a Scottish partnership (regulation 20);
- (p) provide that the contravention of, or failure to comply with provision of the Regulations shall be an offence punishable by a fine not exceeding level 5 on the standard scale except for an offence under regulation 12(1) which shall be punishable by a fine not exceeding level 4 on the standard scale (regulations 21 and 22);
- (q) amend the Registration of Fish Farming and Shellfish Farming Businesses Order 1985; and
- (r) revoke the Fish Health Regulations 1992, as amended.

A Compliance Cost Assessment has been prepared and placed in the library of each House of Parliament. Copies can be obtained from Fisheries II (Aquaculture, Salmon and Freshwater Fisheries) Division, Ministry of Agriculture, Fisheries and Food, Room 308, Nobel House, 17 Smith Square, London SW1P 3JR.

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