

Statutory Rules of Northern Ireland 1998 No. 310

Fish Health Regulations (Northern Ireland) 1998 - *continued*

Extension of the Animals and Animal Products (Import and Export) Regulations (Northern Ireland) 1995 and the Products of Animal Origin (Import and Export) Regulations (Northern Ireland) 1998

17. - (1) The Animals and Animal Products (Import and Export) Regulations (Northern Ireland) 1995[14] (except Part III thereof) and the Products of Animal Origin (Import and Export) Regulations (Northern Ireland) 1998[15] (except Parts IV and V thereof) to the extent that those Regulations apply to aquaculture animals and aquaculture products, still have effect as if the relevant areas were a Member State.

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

Obstruction

18. - (1) A person shall not: -

(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) shall be construed as requiring any person to answer any question 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 the Directive and Directive 95/70/EC are applied in a uniform way.

Part V

Offences and Penalties

Offences

20. - (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) make 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 fail to disclose any material particular,

shall be guilty of an offence.

Penalties

21. - (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.

Part VI

Revocations

Revocations

22. The Fish Health Regulations (Northern Ireland) 1993[16] and the Fish Health (Amendment) Regulations (Northern Ireland) 1995[17] are hereby revoked.

Sealed with the Official Seal of the Department of Agriculture for Northern Ireland on

L.S.

G. Lavery
Assistant Secretary

2nd September 1998.

SCHEDULE 1

Regulations 2, 12 and 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. Marteiliiosis.
- 8. Mikrocytosis.
- 9. Perkinsosis.

SCHEDULE 2

Regulation 7(1)

Zones in Northern Ireland - Live Fish, Eggs and Gametes

<i>Item</i>	<i>Zone</i>	<i>Live fish, eggs and gametes⁽¹⁾</i>	<i>Form of movement document</i>	<i>Diseases⁽²⁾</i>
<i>(1)</i>	<i>(2)</i>	<i>(3)</i>	<i>(4)</i>	<i>(5)</i>
1.	Northern Ireland	Live farmed and wild fish and gametes of farmed and wild fish of the species - <i>Salmonid</i> sp.	Form A	IHN, VHS and GS
2.	Northern Ireland	Eggs of farmed fish of the species - <i>Salmonid</i> sp.	Form A or Form B	IHN, VHS and GS
3.	Northern Ireland	Eggs of wild fish of the species - <i>Salmonid</i> sp.	Form A	IHN, VHS and GS
4.	Northern Ireland	Live farmed fish of the species - <i>Thymallus thymallus</i> <i>Coregonus</i> sp. <i>Scophthalmus maximus</i>	Form A Form E	VHS IHN
5.	Northern Ireland	Live wild fish of the species - <i>Thymallus thymallus</i> <i>Coregonus</i> sp. <i>Scophthalmus maximus</i>	Form A Form F	VHS IHN

6.	Northern Ireland	Eggs and gametes of farmed fish of the species - <i>Thymallus thymallus</i> <i>Coregonus</i> sp. <i>Scophthalmus maximus</i>	Form A or Form B Form E	VHS IHN
7.	Northern Ireland	Eggs and gametes of wild fish of the species - <i>Thymallus thymallus</i> <i>Coregonus</i> sp. <i>Scophthalmus maximus</i>	Form A Form F	VHS IHN
8.	Northern Ireland	Live farmed fish of the species - <i>Esox lucius</i>	Form A Form E Form I	VHS IHN SVC
9.	Northern Ireland	Live wild fish of the species - <i>Esox lucius</i>	Form A Form F Form I	VHS IHN SVC
10.	Northern Ireland	Eggs and gametes of farmed fish of the species - <i>Esox lucius</i>	Form A or Form B Form E Form I	VHS IHN SVC
11.	Northern Ireland	Eggs and gametes of wild fish of the species - <i>Esox lucius</i>	Form A Form F Form I	VHS IHN SVC
12.	Northern Ireland	Live farmed and wild fish of the species - <i>Esox lucius</i> (fry only)	Form A Form I	IHN and VHS SVC
13.	Northern Ireland	Live farmed fish, their eggs and gametes of the following species - <i>Carassius auratus</i> <i>Carassius carassius</i>	Form E Form I	IHN and VHS SVC

		<i>Cyprinus carpio</i> <i>Ctenopharyngodon idella</i> <i>Hypophthalmichthys molitrix</i> <i>Hypophthalmichthys nobilis</i> <i>Leuciscus idus</i> <i>Rutilus rutilus</i> <i>Scardinius erythrophthalmus</i> <i>Siluris glanis</i> <i>Tinca tinca</i>		
14.	Northern Ireland	Live wild fish, their eggs and gametes of the following species - <i>Carassius auratus</i> <i>Carassius carassius</i> <i>Cyprinus carpio</i> <i>Ctenopharyngodon idella</i> <i>Hypophthalmichthys molitrix</i> <i>Hypophthalmichthys nobilis</i> <i>Leuciscus idus</i> <i>Rutilus rutilus</i> <i>Scardinius erythrophthalmus</i> <i>Siluris glanis</i> <i>Tinca tinca</i>	Form F Form I	IHN and VHS SVC
15.	Northern Ireland	Live farmed fish, their eggs and gametes other than - (1) fish of the following species- <i>Salmonid</i> sp. <i>Thymallus thymallus</i> <i>Coregonus</i> sp. <i>Esox lucius</i> (including fry) <i>Scophthalmus maximus</i> <i>Carassius auratus</i>	Form E	IHN and VHS

		<i>Carassius carassius</i> <i>Cyprinus carpio</i> <i>Ctenopharyngodon idella</i> <i>Hypophthalmichthys molitrix</i> <i>Hypophthalmichthys nobilis</i> <i>Leuciscus idus</i> <i>Rutilus rutilus</i> <i>Scardinius erythrophthalmus</i> <i>Siluris glanis</i> <i>Tinca tinca</i> their eggs and gametes. (2) ornamental tropical fish kept permanently in aquaria		
16.	Northern Ireland	Live wild fish, their eggs and gametes other than - (1) fish of the following speciesÑ <i>Salmonid</i> sp. <i>Thymallus thymallus</i> <i>Coregonus</i> sp. <i>Esox lucius</i> (including fry) <i>Scophthalmus maximus</i> <i>Carassius auratus</i> <i>Carassius carassius</i> <i>Cyprinus carpio</i> <i>Ctenopharyngodon idella</i> <i>Hypophthalmichthys molitrix</i> <i>Hypophthalmichthys nobilis</i> <i>Leuciscus idus</i> <i>Rutilus rutilus</i> <i>Scardinius erythrophthalmus</i> <i>Siluris glanis</i>	Form F	IHN and VHS

		<i>Tinca tinca</i>		
		their eggs and gametes.		
		(2) ornamental tropical fish kept permanently in aquaria		

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

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

² The full names of the diseases in column 5 are set out in Schedule1 except for -

- (i) GS which is Gyrodactylus salaris an external parasite of salmonids which ca cause the disease Gyrodactylosis; and (ii) SVC which is Spring Viraemia of Carp

SCHEDULE 3

Regulation 8

Zones in Northern Ireland - Dead Fish

<i>Item</i>	<i>Zone</i>	<i>Dead fish</i> ⁽³⁾	<i>Conditions</i> ⁽⁴⁾
(1)	(2)	(3)	(4)
1.	Northern Ireland	Dead fish of the species - <i>Salmonid</i> sp.	The fish was slaughtered and eviscerated prior to despatch
2.	Northern Ireland	Dead uneviscerated fish of the species - <i>Salmonid</i> sp.	The fish is from an approved zone or an approved farm free of IHN and VHS and was slaughtered prior to despatch
3.	Northern Ireland	Dead uneviscerated fish of the species - <i>Esox lucius</i> (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.	Northern Ireland	Dead uneviscerated fish of the species - <i>Thymallus thymallus</i> <i>Coregonus</i> sp. <i>Esox lucius</i> (other than fry) <i>Scophthalmus maximus</i>	The fish is from an approved zone or an approved farm free of VHS and was slaughtered prior to despatch

³ The common names of the fish referred to in this Schedule are as follows:

[Name]	[Common Name]
<i>Salmonid</i> sp.	Salmonids
<i>Thymallus thymallus</i>	Grayling
<i>Coregonus</i> sp.	Whitefishes
<i>Esox lucius</i>	Pike
<i>Scophthalmus maximus</i>	Turbot

⁴ The full names of the diseases IHN and VHS referred to in column 4 are set out in Schedule 1.

Notes:

[14] S.R. 1995 No. 52 as amended by S.R. 1997 No. 87back

[15] S.R. 1998 No. 45back

[16] S.R. 1993 No. 306[back](#)

[17] S.R. 1995 No. 174[back](#)
