

Statutory Instrument 1993 No. 2255

## **The Fish Health (Amendment) Regulations 1993**

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### STATUTORY INSTRUMENTS

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**1993 No. 2255**

**RIVER, ENGLAND AND WALES**

**RIVER, SCOTLAND**

**SALMON AND FRESHWATER FISHERIES**

**SEA FISHERIES**

**SHELLFISH**

The Fish Health (Amendment) Regulations 1993

*Made* 15th September 1993

*Laid before Parliament* 17th September 1993

*Coming into force* 11th October 1993

The Minister of Agriculture, Fisheries and Food and the Secretary of State, being Ministers designated<sup>[1]</sup> for the purposes of section 2(2) of the European Communities Act 1972<sup>[2]</sup> in relation to the common agricultural policy of the European Economic 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:

#### **Title and commencement**

**1.** These Regulations may be cited as the Fish Health (Amendment) Regulations 1993, and shall come into force on 11th October 1993.

**Amendment of the Fish Health Regulations 1992**

2.—(1) The Fish Health Regulations 1992<sup>[3]</sup> shall be amended in accordance with the provisions of this regulation.

(2) In paragraph (1) of regulation 2 (interpretation)—

(a) after the definition of "aquaculture products" there shall be inserted the following paragraph—

""Commission Decision 93/55/EEC" means Commission Decision 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<sup>[4]</sup> as amended by Commission Decision 93/169/EEC of 19th February 1993 amending Decision 93/55/EEC concerning the guarantees for certain molluscs<sup>[5]</sup>;" ;

(b) for the definition of "Directive 91/67/EEC" there shall be substituted—

""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<sup>[6]</sup> as read with the decisions made under that Directive referred to in Schedule 7 Part I;" ;

(c) after the definition of "Form F" there shall be inserted the following paragraphs—

""Form G" means a movement document completed by the Official Service, certifying that the molluscs originate from an area where there has been no history of *bonamiosis* or *marteliosis* 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 molluscs have been submitted at the place of despatch to a check ensuring that they do 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<sup>[7]</sup>;" ;

(d) for the definition of "movement document" there shall be substituted—

""movement document" means a document duly completed and—

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

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

(3) In paragraph (2)(b) of regulation 3 (placing on the market of aquaculture animals and aquaculture products) the words "Directive 91/67/EEC" shall be substituted for "Directive 91/67".

(4) After paragraph (2)(c) of regulation 6 (validity of movement documents) there shall be added—

"(d) it has been incorrectly issued by an Official Service."

(5) In paragraph (5) of regulation 9 (introduction of live molluscs, eggs and gametes) the words "and not subsequently relaid elsewhere than another approved storage centre"

shall be omitted.

(6) For Schedule 2 there shall be substituted the Schedule set out in Schedule 1 to these Regulations.

(7) For Schedule 4 there shall be substituted the Schedule set out in Schedule 2 to these Regulations.

(8) For Schedule 7 there shall be substituted the Schedule set out in Schedule 3 to these Regulations.

In witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on

*Gillian Shephard*

Minister of Agriculture, Fisheries and Food

15th September 1993.

*Allan Stewart*

Parliamentary Under Secretary of State, Scottish Office

15th September 1993

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*Notes:*

[1] S.I. 1972/1811.

[2] 1972 c. 68.

[3] S.I. 1992/3300.

[4] OJ No. L14, 22.1.93, p. 24.

[5] OJ No. L71, 24.3.93, p. 16.

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

[7] OJ No. L16, 25.1.93, p. 53.