

Statutory Instrument 1994 No. 1448

The Fish Health (Amendment) Regulations 1994

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STATUTORY INSTRUMENTS

1994 No. 1448

RIVER, ENGLAND AND WALES

RIVER, SCOTLAND

**SALMON AND FRESHWATER FISHERIES
SEA FISHERIES**

The Fish Health (Amendment) Regulations 1994

Made 26th May 1994

Laid before Parliament 10th June 1994

Coming into force 1st July 1994

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:

Title, extent and commencement

1.—(1) These Regulations which implement Council Directive 93/54/EEC^[3] may be cited as the Fish Health (Amendment) Regulations 1994, and shall come into force on 1st July 1994.

(2) In these Regulations "the principal Regulations" means the Fish Health Regulations 1992^[4].

Amendment of regulation 2 of the principal Regulations

2. Regulation 2 (Interpretation) shall be amended as follows—

(a) 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^[5] which has been amended by and must be read in accordance with the provisions set out in Schedule 7, Part I;" ;

(b) after the definition of "Directive 91/67/EEC" there shall be inserted the following definition—

""Directive 93/53/EEC" means Council Directive of 24th June 1993 introducing minimum Community measures for the control of certain fish diseases^[6]," .

Amendment of regulation 3 of the principal Regulations

3. Regulation 3 (placing on the market of aquaculture animals and aquaculture products) shall be amended by adding after paragraph (2)—

" (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^[7]." .

Amendment of regulation 7 of the principal Regulations

4. Regulation 7 (introduction of live fish, eggs and gametes) shall be amended by adding after paragraph (2)—

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

Regulation 9A

5. After regulation 9 (introduction of live molluscs, eggs and gametes) of the principal Regulations the following shall be added—

"9A.—(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." .

Amendment of regulation 16 of the principal Regulations

6. In paragraph (1) of regulation 16 for the words "The Animals and Animal Products (Import and Export) Regulations 1992" there shall be substituted—

"The Animals and Animal Products (Import and Export) Regulations 1993^[8]." .

Substitution of Schedule 1 to the principal Regulations

7. For Schedule 1 there shall be substituted the Schedule set out in Schedule 1 to these Regulations.

Substitution of Schedule 2 to the principal Regulations

8. For Schedule 2 there shall be substituted the Schedule set out in Schedule 2 to these Regulations.

Substitution of Schedule 3 to the principal Regulations

9. For Schedule 3 there shall be substituted the Schedule set out in Schedule 3 to these Regulations.

Amendment of Schedule 7 to the principal Regulations

10. In Part I of Schedule 7 there shall be inserted the following new heading and provision after the entry relating to "Commission Decision 93/169/EEC"—

DIRECTIVES AMENDING COUNCIL DIRECTIVE 91/67/EEC

DIRECTIVES AMENDING COUNCIL DIRECTIVE 91/67/EEC	
Directive	OJ Reference

Council Directive 93/54/EEC of 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. L
175,
19.7.93, p.
34.

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

26th May 1994.

Hector Monro

Parliamentary Under Secretary of State, Scottish Office

24th May 1994

Notes:

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

[2] 1972 c. 68. back

[3] OJ No. L 175, 19.7.93, p. 34. back

[4] S.I. 1992/3300, as amended by S.I. 1993/2255. back

[5] OJ No. L 46, 19.2.91, p. 1. back

[6] OJ No. L 175, 19.7.93, p. 23. back

[7] S.I. 1992/1447. back

[8] S.I. 1993/3247. back