

Welsh Statutory Instrument 2003 No. 416 (W.60)

The Prohibition of Keeping or Release of Live Fish (Specified Species) (Amendment) (Wales) Order 2003

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STATUTORY INSTRUMENTS

2003 No. 416 (W.60)

RIVER, WALES

SALMON AND FRESHWATER FISHERIES

The Prohibition of Keeping or Release of Live Fish (Specified Species) (Amendment) (Wales) Order 2003

Made

26th February 2003

Coming into force

1st March 2003

The National Assembly for Wales, in exercise of the powers conferred on it by section 1(1) of the Import of Live Fish (England and Wales) Act 1980^[1] and of all other powers enabling it in that behalf; and, in accordance with section 1(2) of that Act, after consultation with the Countryside Council for Wales and English Nature and such other persons as it considers appropriate; and being of the opinion that the species of live fish to which this Order applies might compete with, displace, prey or harm the habitat of any freshwater fish, shellfish or salmon in Wales, hereby makes the following Order:

Title, commencement and application

1. - (1) This Order is called the Prohibition of Keeping or Release of Live Fish (Specified Species) (Amendment) (Wales) Order 2003 and comes into force on 1st March 2003.

(2) This Order applies in relation to Wales only.

Amendment

2. The Prohibition of Keeping or Release of Live Fish (Specified Species) Order 1998^[2] shall be amended as follows -

- (a) in Article 2 (which prohibits the keeping or release of specified fish except under licence) for the words "the Minister" there is substituted the words "the National Assembly for Wales"; and
- (b) for the Schedule (which specifies the species of fish whose keeping or release is prohibited except under licence) there is substituted the Schedule set out in the Schedule to this Order.

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998^[3]

D. Elis-Thomas
The Presiding Officer of the National Assembly

26th February 2003

THE SCHEDULE

ARTICLE 2(B)

" SCHEDULE

SPECIES OF FISH WHOSE KEEPING OR RELEASE IN ANY PART
OF WALES IS PROHIBITED EXCEPT UNDER AUTHORITY OF A
LICENCE GRANTED BY THE NATIONAL ASSEMBLY FOR
WALES

<i>COMMON NAME</i>	<i>SCIENTIFIC NAME</i>
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Asp	Aspius aspius
Barbel species	species of the genus Barbus (excluding The native Barbus barbus)
Bass species (including striped bass, white bass and their crosses e.g. hybrid striped bass)	species of the genus Morone
Big-head carp	Aristichthys nobilis
Bitterling	Rhodeus sericeus/Rhodeus amarus
Blacknose Dace	Rhinichthys atratulus
Blageon	Leuciscus souffia
Blue Sucker	Cycleptus elongatus
Blue bream	Abramis ballerus
Burbot	Lota lota
Catfish	species of the genera Ictalurus, Amerius and Silurus
Charr species (including American Brook Trout)	species of the genus Salvelinus (excluding the native alvelinusalpinus)
Chinese black or snail-eating carp	Mylopharyngodon piceus
Chinese Sucker (also known as Zebra Hi Fin, banded shark/sucker)	Myxocyprinus asiaticus
Common White Sucker	Catostomus commersoni
Danubian bleak	Chalcalburnus chalcoides
Danubian Salmon & Taimen	species of the genus Hucho
Eastern Mudminnow	Umbra pygmaea
European Mudminnow	Umbra krameri
Fathead minnow (or Roseyreds)	Pimephales promelas
Freshwater minnow, Dragon fish or Pale chub	Zaacco platypus
Grass carp	Ctenopharyngodon idella
Landlocked salmon	non-anadromous varieties of the species Salmo salar
Large-mouthed black bass	Micropterus salmoides

Marbled trout	Salmo marmoratus
Nase	Chondrostoma nasus
Northern Redbelly Dace (common minnow)	Phoxinus/Chrosomus eos
Pacific salmon and trout (excluding rainbow trout but including steelheads)	Species of the genus Oncorhynchus
Paddlefish	species of the genera Polyodon and Psephurus
Perch species	species of the genus Perca (excluding the native Perca fluviatilis)
Pike-perch (including zander)	species of the genus Stizostedion
Pike species	species of the genus Esox (excluding the native Esox lucius)
Red shiner	Cyprinella/Notropis lutrensis
Rock bass	Ambloplites rupestris
Schneider	Alburnoides bipunctatus
Silver carp	Hypophthalmichthys molitrix
Snakeheads, Northern or Chinese	Channa argus
Small mouth bass	Micropterus dolomieu
Southern Redbelly Dace (common minnow)	Phoxinus/Chrosomus ertythrogaster
Sturgeon or sterlet	species of the genera Acipenser, Huso, Pseudoscaphirhynchus and Scaphirhynchus
Sunbleak (Sundace), also known as Belica or Motherless Minnow	Leucaspis delineatus
Sunfish, including Pumpkinseed, (also basses crappies & bluegills)	Species of the genus Lepomis
Topmouth gudgeon	Pseudorasbora parva
Toxostome (or French nase)	Chondrostoma toxostoma
Vimba	Vimba vimba

Weather fish	Misgurnus fossilis
Whitefish species	species of the genus Coregonus (excluding the native Coregonus lavaretus and Coregonus albula)"

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Prohibition of Keeping or Release of Live Fish (Specified Species) Order 1998 ("the 1998 Order"), in relation to Wales, by -

(1) providing that the National Assembly for Wales is to be the licensing authority in respect of the prohibition in the 1998 Order on the keeping or release of specified fish except under licence (article 2(a)); and

(2) substituting a new Schedule for that contained in the 1998 Order specifying the species of fish to which that Order will apply (article 2(b)). The new Schedule adds to the species contained in the original Schedule.

A regulatory appraisal has been prepared in relation to this Order and deposited in the library of the National Assembly. Copies may be obtained from:

The Fisheries Branch,
Welsh Assembly Government,
Cathays Park,
Cardiff CF10 3NQ

Notes:

[1] 1980 c.27. The powers of the Minister under section 1 of the Act were transferred to the National Assembly for Wales by article 2 of the National Assembly for Wales (Transfer of Functions) Order 1999 and Schedule 2 to it (S.I. 1999/672).[back](#)

[2] S.I. 1998/2409.[back](#)

[3] 1998 c.38.[back](#)

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Prepared 6 March 2003