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STATUTORY RULES OF NORTHERN IRELAND

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**1998 No. 310**

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

**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 that farm or place 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 its issue;
  - (c) it is used in connection with aquaculture animals and aquaculture products other than those in respect of which it is 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 the Directive.

**Introduction of live fish, eggs and gametes**

- 7.—(1) Subject to paragraph (2), a person shall not introduce into a zone specified in column (2) of Schedule 2 from elsewhere in the European Communities, or subsequently move within that zone, any live fish, eggs or gametes specified opposite thereto in column (3) unless they are accompanied by valid movement documents in the form specified opposite thereto in column (4) 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.
- (2) The provisions of this regulation shall not apply to tropical fish kept permanently in aquaria.

### **Introduction of dead fish**

8. A person shall not introduce into a zone specified in column (2) of Schedule 3 from elsewhere in the European Community dead fish specified opposite thereto in column (3) unless they comply with the conditions specified opposite thereto in column (4).

### **Introduction of live molluscs, eggs and gametes**

9.—(1) Subject to paragraph (3), a person shall not introduce into a zone specified in column (2) of Schedule 4 from elsewhere in the European Community or subsequently move within that zone any live molluscs, eggs or gametes specified opposite thereto in column (3) with the intention of relaying them unless they are accompanied by valid movement documents in the form specified opposite thereto in column (4) 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.

(2) Subject to paragraph (3), a person shall not relay in a zone specified in column (2) of Schedule 4 any live molluscs, eggs or gametes specified opposite thereto in column (3) from outside that zone unless they are accompanied by valid movement documents in the form specified opposite thereto in column (4) 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) Paragraphs (1) and (2) shall not apply to the relaying of live molluscs, eggs or gametes when they are relaid in an approved storage centre.

(4) For the purposes of this regulation—

“coastal zone” means any waters lying below the high water mark on 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.

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

10.—(1) Subject to paragraph (2), a person shall not 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 such conditions as the Department may determine.

(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 Northern Ireland**

11.—(1) A person shall not export from Northern Ireland 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 the Directive (including any option permitted by the Directive which has been exercised in relation to its destination) or which is not accompanied by any documents required under the Directive.

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