
STATUTORY INSTRUMENTS

1992 No. 3301

ANIMALS

**The Shellfish and Specified Fish
(Third Country Imports) Order 1992**

Made - - - - 23rd December 1992
Laid before Parliament 30th December 1992
Coming into force - - 1st January 1993

The Minister of Agriculture, Fisheries and Food, the Secretary of State for Scotland and the Secretary of State for Wales, acting jointly, in exercise of the powers conferred on them by sections 1, 10(1) and (2) of the Animal Health Act 1981(1) and of all other powers enabling them in that behalf, hereby make the following Order:

Title and commencement

1. This Order may be cited as the Shellfish and Specified Fish (Third Country Imports) Order 1992 and shall come into force on 1st January 1993.

Interpretation

2. In this Order—

“eggs” means fertilized ova, including eyed ova and any associated fluid, of fish, crustaceans or molluscs;

“fish” means any fish at any stage of development;

“gametes” means sperm or unfertilized ova and any associated fluid of fish, crustaceans or molluscs;

“Great Britain” includes the territorial waters of the United Kingdom adjacent to Great Britain;

“licence” means a licence issued under article 3(1) of this Order;

“specified fish” means live fish, eggs and gametes other than live fish of the salmon family and their eggs and live freshwater fish and their eggs;

(1) 1981 c. 22; see section 86(1)(c) for a definition of “the Ministers”; section 10 is to be read with section 3 of the Animal Health and Welfare Act 1984 (c. 40); by virtue of section 10(4)(c), in section 10 and in Schedule 2, “animals” includes, inter alia, fish, crustaceans and molluscs.

“shellfish” means any crustacean or mollusc at any stage of development, their eggs and gametes;

“third country” means a country or territory other than another member State, the United Kingdom, the Isle of Man or any of the Channel Islands.

Prohibition on importing shellfish or specified fish into Great Britain from Third Countries

3.—(1) No person shall import into Great Britain from a third country any shellfish or specified fish except under the authority, and in accordance with the provisions, of a licence issued by the appropriate Minister.

(2) A licence may be either general or specific and may, in either case, be issued subject to such conditions as the appropriate Minister considers appropriate for the purpose of preventing the introduction or spreading of diseases of fish or shellfish into or within Great Britain.

(3) A general licence shall be issued by its publication in such manner and to such extent as appears to the appropriate Minister to be sufficient to bring it to the notice of those persons likely to be affected by it.

(4) The appropriate Minister may vary, revoke or suspend a licence—

- (a) in the case of a general licence by a notice published, so far as practicable, in the same manner and to the same extent as the licence; and
- (b) in the case of a specific licence by a notice served on the person to whom the licence was issued.

In witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 21st December 1992.

(L.S.)

John Selwyn Gummer
Hector Monro
Minister of Agriculture, Fisheries and
Food
Parliamentary Under-Secretary of State,
Scottish Office

23rd December 1992

Gwilym Jones
Parliamentary Under-Secretary of State, Welsh
Office

22nd December 1992

EXPLANATORY NOTE

(This note is not part of the Order)

This Order prohibits the importation into Great Britain from third countries of—

- (a) shellfish; or
- (b) live fish other than freshwater fish and fish of the salmon family;

except in accordance with a licence (article 3).

Breach of the provisions of this Order constitutes an offence under section 73 of the Animal Health Act 1981 and is punishable in accordance with section 75 of that Act.