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## EXPLANATORY NOTE

*(This note is not part of the Regulations.)*

These Regulations revoke and re-enact with amendments the Fish Health Regulations (Northern Ireland) 1993 as amended (“the 1993 Regulations”).

The Regulations implement in respect of Northern Ireland Council Directive [91/67/EEC](#) (O.J. No. L46, 19.2.91, p. 1) concerning the animal health conditions governing the placing on the market of aquaculture animals and products, as amended, and Council Directive [95/70/EC](#) (O.J. No. L332, 30.12.95, p. 33) introducing minimum Community measures for the control of certain diseases affecting bivalve molluscs, to the extent that they are not implemented by other legislation.

The Regulations—

- (a) prohibit the placing on the market of aquaculture animals and products unless certain requirements relating to their health status are met (regulation 3);
- (b) prohibit the transport of aquaculture animals unless certain requirements relating to the welfare of the aquaculture animals and the prevention of the spread of disease are met (regulation 4);
- (c) prohibit the despatch of aquaculture animals and products unless requirements as to identification of the aquaculture animals and products are met (regulation 5);
- (d) contain certain requirements concerning movement documents for aquaculture animals and products (regulation 6);
- (e) prohibit the introduction into Northern Ireland from elsewhere in the European Community of live fish, eggs and gametes except for tropical fish kept permanently in aquaria (regulation 7 and Schedule 2) and live molluscs, eggs and gametes (regulation 9 and Schedule 4) unless they are accompanied by appropriate movement documents;
- (f) prohibit the introduction into Northern Ireland from elsewhere in the European Community of certain dead fish which have not been eviscerated unless they come from areas of appropriate fish health status (regulation 8 and Schedule 3);
- (g) set out the requirement for quarantine of certain introductions of wild fish, molluscs and crustacea from the deep sea (regulation 10);
- (h) prohibit the export to other parts of the European Community of aquaculture animals and products from Northern Ireland unless they are accompanied by appropriate movement documents where required pursuant to Council Directive [91/67/EEC](#) (regulation 11);
- (i) require the notification of certain diseases (regulation 12 and Schedule 1);

Apart from the implementation of Council Directive [95/70/EC](#), the main difference between these Regulations and the 1993 Regulations which they replace, is that these Regulations list in Schedule 6 additional Community instruments which either amend Council Directive [91/67/EEC](#) or are made thereunder. They also implement Commission Decision [94/865/EC](#) (O.J. No. L352, 31.12.94, p. 75) amending Decision [93/44/EEC](#) approving the programmes concerning spring viraemia of carp submitted by the United Kingdom and defining the additional guarantees of certain fish species for consignment to Great Britain, Northern Ireland, the Isle of Man and Guernsey and Commission Decision [96/490/EC](#) (O.J. No. L202, 10.8.96, p. 21) on certain protection measures with regard to *Gyrodactylus salaris* in salmonids.