

SCHEDULE 2

Regulation 48

Repeals, amendments and revocations

1. The Diseases of Fish Act 1937(1) is repealed.
2. In Schedule 8 to the Water Act 1973(2), omit paragraph 43.
3. In section 41(1) of the Salmon and Freshwater Fisheries Act 1975(3), for the definition of “fish farm”, substitute—
““fish farm”—
 - (a) means a pond, stew, hatchery or other place used for keeping, with a view to their sale or to their transfer to other waters (including another fish farm), live fish, live eggs of fish, or foodstuff of fish, and
 - (b) includes any buildings used in connection with a place mentioned in paragraph (a) and the banks and margins of any water in such a place;”.
4. In section 1(1) of the Import of Live Fish (Scotland) Act 1978(4), omit “Without prejudice to section 1(1) of the Diseases of Fish Act 1937 and”.
5. In Part 1 of paragraph 12 of Schedule 4 to the Customs and Excise Management Act 1979(5), omit the entry relating to the Diseases of Fish Act 1937.
6. The Diseases of Fish Act 1983(6) is repealed.
7. In the Salmon Act 1986(7)—
 - (a) in section 24(2)(b), omit “within the meaning of the Diseases of Fish Act 1937”; and
 - (b) omit paragraph 6 of Schedule 4.
8. In the Water Act 1989(8)—
 - (a) in section 141(4)(b), for “, the Salmon and Freshwater Fisheries Act 1975 and the Diseases of Fish Act 1937” substitute “and the Salmon and Freshwater Fisheries Act 1975”; and
 - (b) omit paragraphs 3 and 8 of Schedule 17; and
 - (c) in Part 1 of Schedule 27, omit the entries relating to the Diseases of Fish Act 1937 and the Diseases of Fish Act 1983.
9. In the Environment Act 1995(9)—
 - (a) in section 2(1)(a)(v), omit “the Diseases of Fish Act 1937;”;
 - (b) omit section 6(7)(b)(i); and
 - (c) in Schedule 15—
 - (i) in paragraph 2(4)(c)(ii) omit “or under the Diseases of Fish Act 1937;”;
 - (ii) omit paragraphs 4 and 23.
10. In the Salmon and Freshwater Fisheries (Consolidation) (Scotland) Act 2003(10)—

(1) 1937 c. 33 (1 Edw. 8 & 1 Geo. 6).

(2) 1973 c. 37.

(3) 1975 c. 51; section 41(1) was amended by the Environment Act 1995 (c. 25), Schedule 15, paragraph 20(a).

(4) 1978 c. 35.

(5) 1979 c. 2.

(6) 1983 c. 30.

(7) 1986 c. 62.

(8) 1989 c. 15.

(9) 1995 c. 25.

(10) 2003 asp 15.

Status: This is the original version (as it was originally made).

- (a) in section 8(1), omit “Without prejudice to section 3 of the Diseases of Fish Act 1937 (c. 33) (powers and duties of fishery boards),”; and
 - (b) in section 69, in the definition of “fish farm” for “section 10(1) of the Diseases of Fish Act 1937” substitute “section 41(1) of the Salmon and Freshwater Fisheries Act 1975 (c. 51)”.
- 11.** In section 3(5)(b)(ii) of the Gangmasters (Licensing) Act 2004(**11**), for “the Diseases of Fish Act 1937 (c. 33)”, substitute “Salmon and Freshwater Fisheries Act 1975 (c. 51)”.
- 12.** The Diseases of Fish (Control) Regulations 1994(**12**) are revoked.
- 13.** The Fish Health Regulations 1997(**13**) are revoked.
- 14.** The Diseases of Fish (Control) Amendment (Scotland) Regulations 2000(**14**) are revoked.
- 15.** The Fish Health Amendment (Scotland) Regulations 2001(**15**) are revoked.
- 16.** In Schedule 1 to the Ministry of Agriculture, Fisheries and Food (Dissolution) Order 2002(**16**) omit paragraph 21.

(11) 2004 c. 11.
(12) S.I.1994/1447.
(13) S.I. 1997/1881.
(14) S.S.I. 2000/330.
(15) S.S.I. 2001/409.
(16) S.I. 2002/794.