

*Status: Point in time view as at 01/08/2007.*

**Changes to legislation:** *There are currently no known outstanding effects for the Aquaculture and Fisheries (Scotland) Act 2007, Cross Heading: Diseases of Fish Act 1937 (c. 33). (See end of Document for details)*

## SCHEDULE MINOR AND CONSEQUENTIAL AMENDMENTS

### *Diseases of Fish Act 1937 (c. 33)*

- 1 In the 1937 Act—
- (a) in section 6—
- (i) in subsection (2), after paragraph (ab) insert—
- “(ac) to inspect any land in Scotland for the purpose of—
- (i) assessing whether any disinfection process specified in an order under section 2 by virtue of section 2ZA(a) is being complied with;
- (ii) the exercise by the Scottish Ministers of any of their powers under section 5A or 5B;”
- (ii) after that subsection insert—
- “(2A) Any inspector authorised by the Scottish Ministers to act as such may, for the purpose of exercising any powers or performing any duties under this Act, be accompanied by such persons as he may authorise in writing for the purpose, and the inspector and any such person may for that purpose take onto any fish farm or any land concerned such vehicles or equipment as the inspector considers appropriate and inspect and take copies of such documents or records as he considers appropriate.
- Any person who refuses to admit or intentionally obstructs an inspector or such an authorised person in the exercise of his powers under this subsection is guilty of an offence.”
- (b) in section 7(1A)—
- (i) after “served” insert—
- “(a) for the purpose of section 5C(1) on a person carrying on the business of fish farming in inland waters;
- (b)”,
- (ii) for “waters may” substitute “waters, may”
- (c) in section 8(1), after “article” insert “or any vehicle, equipment, material, substance or dead fish”
- (d) in section 9—
- (i) in paragraph (b), after “1(6)” insert “, 2ZB(1) or (3), 2C(1) or (4)(a) or (c)(i) or (ii), 5F(1)”
- (ii) after paragraph (c), insert—
- “(ca) the form of notice to be served under section 5C;”
- (iii) in paragraph (d), after “articles” insert “or any vehicle, equipment, material, substance or dead fish”
- (e) in section 10(1), in the definition of “infected” for “gyrodactyliasis” substitute “gyrodactylosis”.

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#### **Commencement Information**

**II** [Sch. para. 1](#) in force at 1.8.2007 by S.S.I. 2007/333, **art. 2(1)**

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