Aquaculture and Fisheries (Scotland) Act 2007

2007 asp 12

PART 2

GYRODACTYLUS SALARIS: CONTAINMENT AND TREATMENT

Containment and treatment: additional powers

15 Creation of barriers to movement of fish, treatment of waters with chemical agents etc.

After section 5 of the 1937 Act (duty to examine waters on demand of fishery board or occupier), insert—

"Gyrodactylus salaris: creation of barriers to movement of fish

5A (1) The Scottish Ministers may arrange for the creation of barriers to the movement of fish in any inland waters in Scotland where they consider it appropriate to do so for either or both of the following purposes—

(a) to prevent the spread of the parasite *Gyrodactylus salaris*;

(b) to facilitate treatment with chemical agents with a view to eradicating the parasite from the waters concerned.

(2) Where the Scottish Ministers arrange for the creation of a barrier in pursuance of subsection (1), they may arrange for the—

(a) maintenance;

(b) dismantling;

(c) removal,

of the barrier.

(3) If the Scottish Ministers are satisfied that it is appropriate to do so for the purpose of enabling them to exercise their power under subsection (1), they may purchase land in Scotland compulsorily.

(4) In subsection (1), "inland waters" has the same meaning as in section 2ZB(6).

Gyrodactylus salaris: treatment of waters with chemical agents

5B (1) The Scottish Ministers may, where they consider it appropriate to do so, arrange for the treatment with chemical agents of any waters mentioned in subsection (2) with a view to eradicating the parasite *Gyrodactylus salaris*.

(2) The waters are any waters in an area designated by order under section 2 by virtue of the Scottish Ministers suspecting that they are or may become infected waters by reason of the presence of the parasite *Gyrodactylus salaris*.".