

Regulation (EU) 2016/429 of the European Parliament and of the Council of 9 March 2016 on transmissible animal diseases and amending and repealing certain acts in the area of animal health ('Animal Health Law') (Text with EEA relevance)

PART IV

**REGISTRATION, APPROVAL, TRACEABILITY AND MOVEMENTS**

TITLE II

**AQUATIC ANIMALS AND PRODUCTS OF ANIMAL ORIGIN FROM AQUATIC ANIMALS**

CHAPTER I

***Registration, approval, record-keeping and registers***

*Section 1*

***Registration of aquaculture establishments***

*Article 172*

**Obligation of operators to register aquaculture establishments**

1 Operators of aquaculture establishments shall, in order for their establishments to be registered in accordance with Article 173, before they commence such activities:

- a inform the competent authority of any aquaculture establishment under their responsibility;
- b provide the competent authority with the following information:
  - (i) the name and address of the operator concerned;
  - (ii) the location of the establishment and a description of its facilities;
  - (iii) the species, categories and quantities (numbers, volume or weight) of aquaculture animals which they intend to keep on the aquaculture establishment and the capacity of the aquaculture establishment;
  - (iv) the type of aquaculture establishment; and
  - (v) any other aspects of the establishment which are relevant for the purpose of determining the risk posed by it.

2 Operators of aquaculture establishments referred to in paragraph 1 shall inform the competent authority in advance of:

- a any significant changes in the aquaculture establishment in question concerning the matters referred to in point (b) of paragraph 1;

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b any cessation of activity by the operator or aquaculture establishment concerned.

3 Aquaculture establishments which are subject to approval in accordance with Article 176(1) and Article 177 shall not be required to provide the information referred to in paragraph 1 of this Article.

4 An operator may apply for registration as provided for in paragraph 1 to cover a group of aquaculture establishments, provided that they fulfil either of the following conditions:

- a they are located in an epidemiologically linked area and all operators in that area operate under a common biosecurity system;
- b they are under the responsibility of the same operator and operate under a common biosecurity system, and the aquaculture animals of the establishments concerned form part of a single epidemiological unit.

Where an application for registration covers a group of establishments, the rules laid down in paragraphs 1 to 3 of this Article and in point (b) of the first paragraph of Article 173, and the rules adopted pursuant to Article 175 which are applicable to a single aquaculture establishment, shall be applicable to the group of aquaculture establishments as a whole.

#### *Article 173*

##### **Obligations of the competent authority concerning the registration of aquaculture establishments**

A competent authority shall register:

- (a) aquaculture establishments in the register of aquaculture establishments provided for in Article 185(1), where the operator concerned has provided the information required in accordance with Article 172(1);
- (b) groups of aquaculture establishment in that register, provided that the criteria laid down in Article 172(4) are complied with.

The competent authority shall assign each establishment or group of establishments as referred to in this Article with a unique registration number.

#### *Article 174*

##### **Derogations from the obligation of operators to register aquaculture establishments**

By way of derogation from Article 172(1), Member States may exempt from the registration requirement certain aquaculture establishments posing an insignificant risk, as provided for in an implementing act adopted in accordance with Article 175.

#### *Article 175*

##### **Implementing powers concerning derogations from the obligation to register aquaculture establishments**

1 The Commission may, by means of implementing acts, lay down rules concerning the information to be provided by operators for the purpose of the registration of aquaculture

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establishments as provided for in Article 172(1), including the time-limits by which such information is to be provided.

2 The Commission shall, by means of implementing acts, lay down rules concerning the types of aquaculture establishments that may be exempted by Member States from the registration requirement in accordance with Article 174, based on:

- a the species, categories and quantity (number, volume or weight) of aquaculture animals on the aquaculture establishment in question and the capacity of that establishment;
- b the movements of aquaculture animals into and out of the aquaculture establishment.

3 The implementing acts referred to in this Article shall be adopted in accordance with the examination procedure referred to in Article 266(2).

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**Changes and effects yet to be applied to the whole legislation item and associated provisions**

- Art. 17(1A) words substituted by [S.I. 2021/1273 reg. 8Sch. 2 para. \(t\)](#)