
STATUTORY RULES OF NORTHERN IRELAND

2009 No. 129

**The Aquatic Animal Health
Regulations (Northern Ireland) 2009**

PART 2

AUTHORISATION AND REGISTRATION REQUIREMENTS

Authorisation

7.—(1) An application for the authorisation of an aquaculture production business or a processing establishment shall be made to the Department and shall—

- (a) be made on a form provided by the Department for the purpose; and
- (b) be accompanied by such information in such form as the Department may reasonably require.

(2) Subject to paragraph (3) and regulation 8, the Department may grant an authorisation in relation to an aquaculture production business or a processing establishment on such terms and subject to such conditions as it considers appropriate, having regard to the risk of the spread of disease.

(3) The Department shall only grant an authorisation if it is satisfied that the operation of the aquaculture production business or the processing establishment will not lead to an unacceptable risk of spreading disease.

(4) The Department may grant a single authorisation in relation to two or more aquaculture production businesses situated in one mollusc farming area provided each business relates exclusively to molluscs.

(5) But a dispatch centre, purification centre or similar business in a mollusc farming area shall be separately authorised.

(6) As soon as practicable after determining an application for an authorisation the Department shall give notice of its decision to—

- (a) the applicant;
- (b) in the case of an aquaculture production business situated in the Londonderry Area or the Newry Area, the Foyle, Carlingford and Irish Lights Commission;
- (c) in the case of an aquaculture production business situated outside those areas and which is an inland fishery or a salmon fishery, the Fisheries Conservancy Board for Northern Ireland⁽¹⁾.

(7) An authorisation shall be in writing and shall specify—

(1) The Fisheries Conservancy Board for Northern Ireland is prospectively abolished and its functions under the Fisheries Act (Northern Ireland) 1966 transferred to the Department of Culture, Arts and Leisure under section 1 of the Public Authorities (Reform) Act (Northern Ireland) 2009 c.3 (N.I.). However, by virtue of paragraph 4(1) of Schedule 1 to that Act, any reference to the Board in any statutory provision shall, subject to paragraph 4(2), after the day appointed for the coming into operation of section 1(1), be construed as a reference to that Department.

- (a) the address of the aquaculture production business or the processing establishment to which the authorisation relates;
 - (b) the name of the operator;
 - (c) the purpose for which it is granted;
 - (d) the duration of the authorisation;
 - (e) any condition to which it is subject; and
 - (f) the authorisation number assigned to the business or establishment.
- (8) Where the Department refuses to grant an authorisation, or grants it subject to any condition other than a condition imposed under regulation 8, it shall, by notice served on the applicant—
- (a) give the reasons for the refusal or the imposition of the condition; and
 - (b) inform the applicant of the right of appeal under regulation 44.

Commencement Information

II Reg. 7 in operation at 27.3.2009, see [reg. 1\(1\)](#)

Changes to legislation:

There are currently no known outstanding effects for the The Aquatic Animal Health Regulations (Northern Ireland) 2009, Section 7.