
STATUTORY INSTRUMENTS

1992 No. 3300

The Fish Health Regulations 1992

PART I

INTRODUCTORY

Title, extent and commencement

1. These Regulations may be cited as the Fish Health Regulations 1992, shall apply to Great Britain and shall come into force on 1 January 1993.

Interpretation

2.—(1) In these Regulations, unless the context otherwise requires—

“approved farm” means a farm complying, as the case may be, with the requirements of Annex CI, II or III of Directive [91/67/EEC](#) and approved as such in accordance with Article 6 of that Directive;

“approved storage centre” means a storage centre or purification centre approved by the Minister as meeting the requirements set out in Schedule 5 Part II;

“approved water station” means a water station approved by the Minister as meeting the requirements set out in Schedule 5 Part I;

“approved zone” means a zone complying, as the case may be, with the provisions of Annex BI, II or III of Directive [91/67/EEC](#) and approved as such in accordance with Article 5 of that Directive;

“aquaculture animals” means live fish, crustaceans or molluscs coming from a farm, including those from the wild intended for a farm;

“aquaculture products” means products derived from aquaculture animals, whether intended for farming, such as eggs and gametes, or for human consumption;

“dead fish” includes any part of a dead fish;

“Directive [91/67/EEC](#)” means Council Directive of 28th January 1991 concerning the animal health conditions governing the placing on the market of aquaculture animals and products⁽¹⁾ as read with the decisions made under that Directive referred to in Schedule 7;

“eggs” means fertilized ova, including eyed ova and any associated fluid, of fish, crustaceans or molluscs;

“European Inspector” means a Commission veterinary expert acting with regard to Directive [91/67/EEC](#);

“farm” means any establishment or, in general, any geographically defined installation in which aquaculture animals are reared or kept with a view to their being placed on the market;

(1) OJNo. L46, 19.2.91, p. 1.

“farmed” in relation to a fish, crustacean or mollusc means a fish, crustacean or mollusc at or from a farm;

“fish, crustaceans or molluscs” means any fish, crustacean or mollusc at any stage of development;

“Form A” means a movement document for live fish, eggs and gametes from an approved zone in the form set out in Directive 91/67/EEC;

“Form B” means a movement document for live fish, eggs or gametes from an approved farm in the form set out in Directive 91/67/EEC;

“Form C” means a movement document for molluscs from an approved coastal zone in the form set out in Directive 91/67/EEC;

“Form D” means a movement document for molluscs from an approved farm in the form set out in Directive 91/67/EEC;

“Form E” means a movement document for live farmed fish, molluscs and crustaceans, their eggs and gametes referred to in Article 14 paragraph 1 of Directive 91/67/EEC in the form set out in Directive 91/67/EEC;

“Form F” means a movement document for live wild fish, molluscs or crustaceans, their eggs or gametes referred to in Article 14 paragraph 2 of Directive 91/67/EEC in the form set out in Directive 91/67/EEC;

“gametes” means sperm or unfertilized ova and any associated fluid of fish, crustaceans or molluscs;

“Great Britain” includes the territorial waters of the United Kingdom adjacent to Great Britain;

“health inspection” means a visit by an official service or services for the purpose of conducting health checks on a farm or zone;

“the Minister” means—

- (a) in relation to England, and the territorial waters adjacent to England, the Minister of Agriculture, Fisheries and Food;
- (b) in relation to Wales, and the territorial waters adjacent to Wales, the Secretary of State;
- (c) in relation to Scotland (including the territorial waters thereof), the Secretary of State;

“movement document” means a document duly completed in the form set out in Directive 91/67/EEC and shall include Form A, Form B, Form C, Form D, Form E and Form F;

“Official Service” means the veterinary service or any other service of equivalent level designated by the competent authority of a Member State or third country and responsible for carrying out the controls provided for in Directive 91/67/EEC;

“placing on the market” means holding or displaying for sale, offering for sale, selling, delivering, transferring or any other form of placing on the market in the Community, with the exception of retail sale and ‘place on the market’ shall be construed accordingly;

“premises” includes any place, farm, installation in which aquaculture animals are kept, vehicle, ship, vessel, boat, craft, hovercraft or aircraft;

“veterinary inspector” means a person appointed by the Minister for the purposes of these Regulations;

“wild” in relation to a fish, crustacean or mollusc means any fish, crustacean or mollusc which is not a farmed fish, crustacean or mollusc.

(2) Except in regulation 14 of these Regulations, any reference in these Regulations to a numbered regulation or a numbered Schedule shall be construed as a reference to the regulation or Schedule so numbered in these Regulations.

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