
STATUTORY INSTRUMENTS

2011 No. 2292

**The Alien and Locally Absent Species in
Aquaculture (England and Wales) Regulations 2011**

PART 1

General

Title and commencement

1. These Regulations may be cited as the Alien and Locally Absent Species in Aquaculture (England and Wales) Regulations 2011 and come into force on 10th October 2011.

Extent and application

- 2.—(1) These Regulations extend to England and Wales.
(2) Subject to paragraph (3), these Regulations apply in relation to England and Wales.
(3) Regulation 4 applies in relation to England only.

Interpretation

- 3.—(1) In these Regulations—
“an Annex IV species” means any species listed in Annex IV to Council Regulation 708/2007 as amended from time to time;
“aquaculture facility” includes open and closed aquaculture facilities;
“the competent authority” means, in relation to England, the Secretary of State, and, in relation to Wales, the Welsh Ministers;
“Council Regulation 708/2007” means Council Regulation (EC) No 708/2007 concerning use of alien and locally absent species in aquaculture;
“England” includes the area of sea within the seaward limits of the territorial sea adjacent to England but does not include any part of the Welsh zone or the Scottish zone;
“inspector” means any person authorised by the competent authority to be an inspector for the purposes of these Regulations;
“permit” means a permit issued by the competent authority under Council Regulation 708/2007;
“Wales” has the same meaning as it has by virtue of section 158(1) of the Government of Wales Act 2006 ^{M1}.
(2) In this regulation—
“Scottish zone” has the same meaning as it has by virtue of section 126(1) and (2) of the Scotland Act 1998 ^{M2};

“Welsh zone” has the same meaning as it has by virtue of section 158(1) of the Government of Wales Act 2006 ^{M3}

(3) Other expressions used in these Regulations that are also used in Council Regulation 708/2007 have the meaning they bear in that Regulation.

Marginal Citations

- M1** 2006 c. 32; section 158(1) was amended by the [Marine and Coastal Access Act 2009 \(c. 23\), s.43\(1\) & \(2\)](#).
- M2** 1998 c. 46.
- M3** The Welsh zone is specified in [S.I. 2010/760](#).

Review

4.—(1) Before the end of each review period, the Secretary of State must—

- (a) carry out a review of these Regulations;
- (b) set out the conclusions of the review in a report; and
- (c) lay the report before Parliament.

^{F1}(2)

(3) The report must in particular—

- (a) set out the objectives intended to be achieved by these Regulations;
- (b) assess the extent to which those objectives are achieved; and
- (c) assess whether those objectives remain appropriate and, if so, the extent to which they could be achieved with a system that imposes less regulation.

(4) “Review period” means—

- (a) the period of 5 years beginning with the day on which these Regulations come into force, and
- (b) subject to paragraph (5), each successive period of 5 years.

(5) If a report under this regulation is laid before Parliament before the last day of the review period to which it relates, the following review period is to begin with the day on which that report is laid.

F1 Reg. 4(2) omitted (31.12.2020) by virtue of [The Aquatic Animal Health and Alien Species in Aquaculture \(Amendment\) \(England and Wales\) \(EU Exit\) Regulations 2019 \(S.I. 2019/452\)](#), regs. 1, 3(2); 2020 c. 1, Sch. 5 para. 1(1)

Changes to legislation:

There are currently no known outstanding effects for the The Alien and Locally Absent Species in Aquaculture (England and Wales) Regulations 2011, PART 1.