
STATUTORY INSTRUMENTS

2020 No. 1388

The Animals, Aquatic Animal Health, Invasive Alien Species, Plant Propagating Material and Seeds (Amendment) (EU Exit) Regulations 2020

PART 3

Amendment of retained direct EU law

CHAPTER 2

Aquatic Animal Health

Commission Implementing Decision (EU) 2015/1554

11.—(1) Commission Implementing Decision (EU) 2015/1554 laying down rules for the application of [Directive 2006/88/EC](#) as regards requirements for surveillance and diagnostic methods is amended as follows.

(2) In Article 1—

(a) in point (a)—

- (i) for “Member States”, in the first place where it occurs, substitute “the appropriate authority”;
- (ii) for “the Member States” substitute “constituent GB territories”;
- (iii) for “Part II to Annex IV to [Directive 2006/88/EC](#)” substitute “Annex 1A to Regulation 1251/2008”;

(b) in point (c), for “Member State” substitute “constituent GB territory”.

(3) In Article 2, after point (g) insert—

“(h) “the appropriate authority” means—

- (i) in relation to England, the Secretary of State;
- (ii) in relation to Wales, the Welsh Ministers;
- (iii) in relation to Scotland, the Scottish Ministers;

but the appropriate authority is the Secretary of State if consent is given—

- (i) in respect of functions exercisable in relation to Wales, by the Welsh Ministers;
- (ii) in respect of functions exercisable in relation to Scotland, by the Scottish Ministers;

(i) “the Aquatic Animal Health Regulations” means—

- (i) in relation to England and Wales, the Aquatic Animal Health (England and Wales) Regulations 2009;
- (ii) in relation to Scotland, the Aquatic Animal Health (Scotland) Regulations 2009;

- (j) “Commission [Decision 2009/177/EC](#)” means Commission [Decision 2009/177/EC](#) as regards surveillance and eradication programmes and disease-free status of Member States, zones and compartments;
 - (k) “constituent GB territory” means England, Wales or Scotland, as the case may be;
 - (l) “the EU Directive” means Council [Directive 2006/88/EC](#) on animal health requirements for aquaculture animals and products thereof, and on the prevention and control of certain diseases in aquatic animals, as it has effect in European Union law, as amended from time to time;
 - (m) “Regulation 1251/2008” means [Commission Regulation \(EC\) No 1251/2008](#) implementing Council [Directive 2006/88/EC](#) as regards conditions and certification requirements for the placing on the market and the import into the Community of aquaculture animals and products thereof and laying down a list of vector species.”.
- (4) After Article 2 insert—

“Article 2a

Surveillance and eradication programmes

1. Where a constituent GB territory is not known to be infected and is not declared free of one or more of the non-exotic diseases listed in Annex 1A to Regulation 1251/2008, the appropriate authority may establish a surveillance programme for achieving disease-free status for one or more of those diseases.
 2. A surveillance programme established in accordance with paragraph 1 must include specific requirements for surveillance, sampling and diagnostics as provided for in Annex 1.
 3. Where a constituent GB territory is known to be infected by one or more of the non-exotic diseases listed in Annex 1A to Regulation 1251/2008, the appropriate authority may establish an eradication programme for achieving disease-free status.
 4. A programme established in accordance with paragraph 1 or 3 must contain—
 - (a) a description of the epidemiological situation of the disease before the date of commencement of the programme;
 - (b) an analysis of the estimated costs and the anticipated benefits of the programme;
 - (c) the likely duration of the programme and the objective to be attained by the completion date of the programme;
 - (d) a description and demarcation of the geographical and administrative area in which the programme is to be applied.”.
- (5) In Article 3—
- (a) for “Member States” substitute “The appropriate authority”;
 - (b) for “Member State” substitute “constituent GB territory,”.
- (6) In Article 4, for “Member States” substitute “The appropriate authority”.
- (7) Article 5—
- (a) in the heading, for “Member States” substitute “constituent GB territories”;
 - (b) for “Member States” substitute “The appropriate authority”;
 - (c) for “Member State” substitute “constituent GB territory,”.
- (8) Omit Articles 6 to 8, and the words after Article 8.
- (9) Annex 1 is amended as follows.

- (10) In the section headed “Introduction”—
- (a) in point (a)—
 - (i) omit “, as provided for in Article 44 of [Directive 2006/88/EC](#),”;
 - (ii) for “Member States” substitute “constituent GB territories”;
 - (iii) for “Chapter VII of that Directive” substitute “Section 2 of Commission [Decision 2009/177/EC](#)”;
 - (b) in point (b)—
 - (i) for “Part II of Annex IV to [Directive 2006/88/EC](#)” substitute “Annex 1A to Regulation 1251/2008”;
 - (ii) omit the words from “as provided” to the end;
 - (c) in point (c)—
 - (i) for “Article 39 of [Directive 2006/88/EC](#)”, substitute “regulation 28 of the Aquatic Animal Health Regulations”;
 - (ii) for “Member State” substitute “constituent GB territory”;
- (11) In the section headed “Definitions”—
- (a) in point (a) and (c), for “Member State(s)” substitute “constituent GB territories”;
 - (b) in point (b), for “one Member State” substitute “a constituent GB territory”;
 - (c) in point (d), for the words from “Articles” to the end substitute “with Part 4 of the Aquatic Animal Health Regulations.”.
- (12) In Part 1 of Annex 1—
- (a) in paragraph I.1(b), for “Member State”, substitute “constituent GB territory”;
 - (b) in paragraph I.2.1—
 - (i) in point (a)—
 - (aa) for “Member State”, in both places where it occurs, substitute “constituent GB territory”;
 - (bb) for “Part II of Annex IV to that Directive” substitute “Annex 1A to Regulation 1251/2008”;
 - (ii) for point (b)(iii) substitute—
 - “(iii) it has been restocked with fish from—
 - (aa) a constituent GB territory, zone or compartment with a Category 1 health status with regard to either VHS or IHN or both;
 - (bb) any part of Northern Ireland which has Category 1 health status, within the meaning of Part A of Annex 3 to the EU Directive, in respect of either or both of those diseases;
 - (cc) the Channel Islands, the Isle of Man or a third country, where the appropriate authority has consented to the restocking.”;
 - (iii) after point (b) insert—
 - “(c) For the purposes of point (b)(iii)(cc), consent may only be given if the appropriate authority is satisfied that the disease risk posed by fish from that source is no greater than if they were from a source which would satisfy point (b)(iii)(aa).”.
 - (c) in paragraph I.2.2.1—
 - (i) in the words before point (a)—

- (aa) for “Member State”, in both places where it occurs, substitute “constituent GB territory”;
- (bb) for “Part II of Annex IV to [Directive 2006/88/EC](#)” substitute “Annex 1A to Regulation 1251/2008”;
- (ii) in point (a), in the first paragraph before point (i), for the words from “Section 4” to “vicinity of” substitute “Part 4 of the Aquatic Animal Health Regulations must have been applied to”;
- (iii) in point (b), in the words before point (i), for “Part II of Annex IV to [Directive 2006/88/EC](#)” substitute “Annex 1A to Regulation 1251/2008”;
- (iv) in point (d)—
 - (aa) in the first subparagraph, for the words from “sourced” to the end substitute—
 - “from—
 - (i) a constituent GB territory, zone or compartment with a Category 1 health status with regard to either VHS or IHN or both;
 - (ii) any part of Northern Ireland which has Category 1 health status, within the meaning of Part A of Annex 3 to the EU Directive, in respect of either or both of those diseases;
 - (iii) the Channel Islands, the Isle of Man or a third country, where the appropriate authority has consented to the restocking.”;
- (v) after point (d) insert—
 - “(da) For the purposes of point (d)(iii), consent may only be given if the appropriate authority is satisfied that the disease risk posed by fish from that source is no greater than if they were from a source which would satisfy point (d)(i).”.
- (vi) in point (e), for the word from “Part” to “State” substitute “Annex 1A to Regulation 1251/2008 within the constituent GB territory”;
- (d) in paragraph I.2.2.2—
 - (i) in the words before point (a), for “Article 53(3) of that Directive” substitute “Article 2d(3) of Commission [Decision 2009/177/EC](#)”;
 - (ii) in point (b), for the words from “sourced” to the end substitute—
 - “from—
 - (i) a constituent GB territory, zone or compartment with a Category 1 health status with regard to either VHS or IHN or both;
 - (ii) any part of Northern Ireland which has Category 1 health status, within the meaning of Part A of Annex 3 to the EU Directive, in respect of either or both of those diseases;
 - (iii) the Channel Islands, the Isle of Man or a third country, where the appropriate authority has consented to the restocking.”;
 - (iii) after point (b) insert—
 - “(c) For the purposes of point (b)(iii), consent may only be given if the appropriate authority is satisfied that the disease risk posed by fish from that source is no greater than if they were from a source which would satisfy point (b)(i).”.
- (e) in paragraph I.3—

- (i) in the first unnumbered paragraph—
 - (aa) for “Article 52 of [Directive 2006/88/EC](#)” substitute “Article 2c of Commission [Decision 2009/177/EC](#)”;
 - (bb) for the words from “Part II” to “State” substitute “Annex 1A to Regulation 1251/2008 within the constituent GB territory”;
- (f) in the heading to paragraph I.4, for “Article 39 of [Directive 2006/88/EC](#)” substitute “Part 4 of the Aquatic Animal Health Regulations”;
- (g) in paragraph I.4—
 - (i) in the words before point (a), for “Member State” substitute “constituent GB territory”;
 - (ii) in point (b), for the words from “sourced” to the end substitute—
 - “from—
 - (i) a constituent GB territory, zone or compartment with a Category 1, 2 or 3 health status with regard to either VHS or IHN or both;
 - (ii) any part of Northern Ireland which has Category 1, 2 or 3 health status, within the meaning of Part A of Annex 3 to the EU Directive, in respect of either or both of those diseases;
 - (iii) the Channel Islands, the Isle of Man or a third country, where the appropriate authority has consented to the restocking.”;
 - (iii) after point (c) insert—
 - “For the purposes of point (b)(iii), consent may only be given if the appropriate authority is satisfied that the disease risk posed by fish from that source is no greater than if they were from a source which would satisfy point (b)(i).”.
- (h) in paragraph II.3—
 - (i) in the words before point (a), for “Article 28 of [Directive 2006/88/EC](#)” substitute “Part 4 of the Aquatic Animal Health Regulations”;
 - (ii) in point (b), for “Member States” substitute “constituent GB territories”;
- (13) In Part 2 of Annex 1—
 - (a) in paragraph I.1, in the first unnumbered paragraph, for “Member State” substitute “constituent GB territory”;
 - (b) in paragraph I.2.1—
 - (i) in point (a), in the words before point (i)—
 - (aa) for “Member State” in both places where it occurs, substitute “constituent GB territory”;
 - (bb) for “Part II of Annex IV to [Directive 2006/88/EC](#)” substitute “Annex 1A to Regulation 1251/2008”;
 - (cc) for “that Directive” substitute “[Directive 2006/88/EC](#)”;
 - (ii) for point (b)(iii) substitute—
 - “(iii) it has been restocked with fish from—
 - (aa) a constituent GB territory, zone or compartment with a Category 1 health status with regard to KHVD;
 - (bb) any part of Northern Ireland which has Category 1 health status, within the meaning of Part A of Annex 3 to the EU Directive, in respect of KHVD;

- (cc) the Channel Islands, the Isle of Man or a third country, where the appropriate authority has consented to the restocking.”;
- (iii) after point (b) insert—
 - “(c) For the purposes of point (b)(iii)(cc), consent may only be given if the appropriate authority is satisfied that the disease risk posed by fish from that source is no greater than if they were from a source which would satisfy point (b)(iii)(aa).”.
- (c) in paragraph I.2.2.1—
 - (i) in the words before point (a)—
 - (aa) for “Member State” in both places where it occurs substitute “constituent GB territory”;
 - (bb) for “Part II of Annex IV to [Directive 2006/88/EC](#)” substitute “Annex 1A to Regulation 1251/2008”;
 - (ii) in point (a), in the first paragraph before point (i), for the words from “Section 4” to “vicinity of” substitute “Part 4 of the Aquatic Animal Health Regulations must have been applied to”;
 - (iii) in point (b), in the words before point (i), for “Part II of Annex IV to [Directive 2006/88/EC](#)” substitute “Annex 1A to Regulation 1251/2008”;
 - (iv) in point (d)—
 - (aa) in point (i), for the words from “sourced” to the end substitute—
 - “from—
 - (aa) a constituent GB territory, zone or compartment with a Category 1 health status with regard to KHVD;
 - (bb) any part of Northern Ireland which has Category 1 health status, within the meaning of Part A of Annex 3 to the EU Directive, in respect of KHVD;
 - (cc) the Channel Islands, the Isle of Man or a third country, where the appropriate authority has consented to the restocking.”;
 - (bb) omit point (ii);
 - (v) after point (d) insert—
 - “(da) For the purposes of point (d)(i)(cc), consent may only be given if the appropriate authority is satisfied that the disease risk posed by fish from that source is no greater than if they were from a source which would satisfy point (d)(i)(aa).”.
 - (vi) in point (e), for the word from “Part” to “State” substitute “Annex 1A to Regulation 1251/2008 within the constituent GB territory”;
- (d) in paragraph I.2.2.2—
 - (i) in the words before point (a), for “Article 53(3) of that Directive” substitute “Article 2d(3) of Commission [Decision 2009/177/EC](#)”;
 - (ii) in point (b), for the words from “sourced” to the end substitute—
 - “from—
 - (i) a constituent GB territory, zone or compartment with a Category 1 health status with regard to KHVD;

- (ii) any part of Northern Ireland which has Category 1 health status, within the meaning of Part A of Annex 3 to the EU Directive, in respect of KHVD;
 - (iii) the Channel Islands, the Isle of Man or a third country, where the appropriate authority has consented to the restocking.”;
 - (iii) after point (b) insert—
 - “(c) For the purposes of point (b)(iii), consent may only be given if the appropriate authority is satisfied that the disease risk posed by the fish from that source is no greater than if they were from a source which would satisfy point (b)(i).”.
 - (e) in paragraph I.3—
 - (i) in the first unnumbered paragraph—
 - (aa) for “Article 52 of [Directive 2006/88/EC](#)” substitute “Article 2c of Commission [Decision 2009/177/EC](#)”;
 - (bb) for the words from “Part II” to “State” substitute “Annex 1A to Regulation 1251/2008 within the constituent GB territory”;
 - (ii) in the third unnumbered paragraph, for “Member States” substitute “constituent GB territories”;
 - (f) in the heading to paragraph I.4—
 - (i) for “Article 39 of [Directive 2006/88/EC](#)” substitute “Part 4 of the Aquatic Animal Health Regulations”;
 - (ii) for “Member States” substitute “constituent GB territories”;
 - (g) in paragraph I.4—
 - (i) in the words before point (a), for “Member State” substitute “constituent GB territory”;
 - (ii) in point (b), for the words from “sourced” to the end substitute—
 - “from—
 - (i) a constituent GB territory, zone or compartment with a Category 1, 2 or 3 health status with regard to KHVD;
 - (ii) any part of Northern Ireland which has Category 1, 2 or 3 health status, within the meaning of Part A of Annex 3 to the EU Directive, in respect of KHVD;
 - (iii) the Channel Islands, the Isle of Man or a third country, where the appropriate authority has consented to the restocking.”;
 - (iii) after point (c) insert—
 - “For the purposes of point (b)(iii), consent may only be given if the appropriate authority is satisfied that the disease risk posed by fish from that source is no greater than if they were from a source which would satisfy point (b)(i).”.
 - (h) in paragraph III.2, in the words before point (a), for “Article 28 of [Directive 2006/88/EC](#)” substitute “Part 4 of the Aquatic Animal Health Regulations”;
 - (i) in the heading to Table 2D, for “Member States” substitute “constituent GB territories”.
- (14) In Part 3 of Annex 1—
- (a) in paragraph I.1, in the second unnumbered paragraph, for “Member State” substitute “constituent GB territory”;
 - (b) in paragraph I.2.1—
 - (i) in the words before point (a)—

- (aa) for “Member State” in both places where it occurs, substitute “constituent GB territory”;
 - (bb) for “Part II of Annex IV to [Directive 2006/88/EC](#)” substitute “Annex 1A to Regulation 1251/2008”;
 - (cc) for “that Directive” substitute “[Directive 2006/88/EC](#)”;
- (c) in paragraph I.2.2.1—
 - (i) in the words before point (a)—
 - (aa) for “Member State”, in both places where it occurs, substitute “constituent GB territory”;
 - (bb) for “Part II of Annex IV to [Directive 2006/88/EC](#)” substitute “Annex 1A to Regulation 1251/2008”;
 - (ii) in point (a), in the first paragraph before point (i), for the words from “Section 3” to “vicinity of” substitute “Part 4 of the Aquatic Animal Health Regulations must have been applied to”;
 - (iii) in point (b), in the words before point (i), for “Part II of Annex IV to [Directive 2006/88/EC](#)” substitute “Annex 1A to Regulation 1251/2008”;
 - (iv) in point (d), in the first subparagraph, for the words from “sourced” to the end substitute—
 - “from—
 - (i) a constituent GB territory, zone or compartment with a Category 1 health status with regard to ISA;
 - (ii) any part of Northern Ireland which has Category 1 health status, within the meaning of Part A of Annex 3 to the EU Directive, in respect of ISA;
 - (iii) the Channel Islands, the Isle of Man or a third country, where the appropriate authority has consented to the restocking.”;
 - (v) after point (d) insert—
 - “(da) For the purposes of point (d)(iii), consent may only be given if the appropriate authority is satisfied that the disease risk posed by fish from that source is no greater than if they were from a source which would satisfy point (d)(i).”.
 - (vi) in point (e), for the word from “Part” to “State” substitute “Annex 1A to Regulation 1251/2008 within the constituent GB territory”;
- (d) in paragraph I.2.2.2—
 - (i) in the words before point (a), for “Article 53(3) of that Directive” substitute “Article 2d(3) of Commission [Decision 2009/177/EC](#)”;
 - (ii) in point (b), for the words from “sourced” to the end substitute—
 - “from—
 - (i) a constituent GB territory, zone or compartment with a Category 1, 2 or 3 health status with regard to ISA;
 - (ii) any part of Northern Ireland which has Category 1, 2 or 3 health status, within the meaning of Part A of Annex 3 to the EU Directive, in respect of ISA;
 - (iii) the Channel Islands, the Isle of Man or a third country, where the appropriate authority has consented to the restocking.”;
 - (iii) after point (b) insert—

“For the purposes of point (b)(iii), consent may only be given if the appropriate authority is satisfied that the disease risk posed by fish from that source is no greater than if they were from a source which would satisfy point (b)(i).”.

(e) in paragraph I.3—

(i) in the first unnumbered paragraph—

(aa) for “Article 52 of [Directive 2006/88/EC](#)” substitute “Article 2c of Commission [Decision 2009/177/EC](#)”;

(bb) for the words from “Part II” to “State” substitute “Annex 1A to Regulation 1251/2008 within the constituent GB territory”;

(f) in the heading to paragraph I.4, for “Member States” substitute “constituent GB territories”;

(g) in paragraph I.4—

(i) in the words before point (a), for “Member State” substitute “constituent GB territory”;

(ii) in point (b), for the words from “sourced” to the end substitute—

“from—

(i) a constituent GB territory, zone or compartment with a Category 1, 2 or 3 health status with regard to ISA;

(ii) any part of Northern Ireland which has Category 1, 2 or 3 health status, within the meaning of Part A of Annex 3 to the EU Directive, in respect of ISA;

(iii) the Channel Islands, the Isle of Man or a third country, where the appropriate authority has consented to the restocking.”;

(iii) after point (d) insert—

“For the purposes of point (b)(iii), consent may only be given if the appropriate authority is satisfied that the disease risk posed by fish from that source is no greater than if they were from a source which would satisfy point (b)(i).”;

(h) in paragraph II.2, in the words before point (a), in the second unnumbered paragraph, for “Article 28 of [Directive 2006/88/EC](#)” substitute “Part 4 of the Aquatic Animal Health Regulations”;

(i) in paragraph II.3—

(i) in the words before point (a), for “Article 28 of [Directive 2006/88/EC](#)” substitute “Part 4 of the Aquatic Animal Health Regulations”;

(ii) in point (b), in the words before point (i), for “Article 28 of [Directive 2006/88/EC](#)” substitute “Part 4 of the Aquatic Animal Health Regulations”.

(15) Part 4 of Annex 1 is amended as follows.

(16) In paragraph I.1, in the first unnumbered paragraph before point (a), for “Member State” substitute “constituent GB territory”.

(17) In paragraph I.2.1—

(a) in the words before point (a)—

(i) for “Member State”, in both places where it occurs, substitute “constituent GB territory”;

(ii) for “Part II of Annex IV to [Directive 2006/88/EC](#)” substitute “Annex 1A to Regulation 1251/2008”;

(b) in point (c), for “Member State” substitute “constituent GB territory”.

- (18) In paragraph I.2.2—
- (a) in the words before point (a)—
 - (i) in the first unnumbered paragraph, for “Member State” substitute “appropriate authority”;
 - (ii) in the second unnumbered paragraph—
 - (aa) for “Member State”, in both places where it occurs, substitute “constituent GB territory”;
 - (bb) for “Part II of Annex IV to Directive 2006/88/EC” substitute “Annex 1A to Regulation 1251/2008”;
 - (b) in point (a), in the first unnumbered paragraph, for the words from “Section 3” to “vicinity of” substitute “Part 4 of the Aquatic Animal Health Regulations must have been applied to”;
 - (c) in point (b), for “Part II of Annex IV to Directive 2006/88/EC” substitute “Annex 1A to Regulation 1251/2008”;
 - (d) in point (d), in the first unnumbered paragraph, for the words from “sourced” to the end substitute—
 - “from—
 - (i) a constituent GB territory, zone or compartment with a Category 1 health status with regard to *Marteilia refringens*;
 - (ii) any part of Northern Ireland which has Category 1 health status, within the meaning of Part A of Annex 3 to the EU Directive, in respect of *Marteilia refringens*;
 - (iii) the Channel Islands, the Isle of Man or a third country, where the appropriate authority has consented to the restocking.”;
 - (e) after point (d) insert—
 - “(da) For the purposes of point (d)(iii), consent may only be given if the appropriate authority is satisfied that the disease risk posed by molluscs from that source is no greater than if they were from a source which would satisfy point (d)(i).”.
 - (f) in point (e), for the word from “Part” to “State” substitute “Annex 1A to Regulation 1251/2008 within the constituent GB territory”.
- (19) In paragraph I.3, in the first unnumbered paragraph—
- (a) for “Article 52 of Directive 2006/88/EC” substitute “Article 2c of Commission Decision 2009/177/EC”;
 - (b) for the words from “Part II” to “State” substitute “Annex 1A to Regulation 1251/2008 within the constituent GB territory”.
- (20) In the heading to paragraph I.4, for “Article 39 of Directive 2006/88/EC” substitute “Part 4 of the Aquatic Animal Health Regulations”.
- (21) In paragraph I.4—
- (a) in the words before point (a), for “Member State” substitute “constituent GB territory”;
 - (b) in point (b), for the words from “sourced” to the end substitute—
 - “from—
 - (i) a constituent GB territory, zone or compartment with a Category 1, 2 or 3 health status with regard to *Marteilia refringens*;

- (ii) any part of Northern Ireland which has Category 1, 2 or 3 health status, within the meaning of Part A of Annex 3 to the EU Directive, in respect of *Marteilia refringens*;
 - (iii) the Channel Islands, the Isle of Man or a third country, where the appropriate authority has consented to the restocking.”;
- (c) after point (d) insert—

“For the purposes of point (b)(iii), consent may only be given if the appropriate authority is satisfied that the disease risk posed by molluscs from that source is no greater than if they were from a source which would satisfy point (b)(i).”.
- (22) In paragraph II.3, in the words before point (a), for “Article 28 of [Directive 2006/88/EC](#)” substitute “Part 4 of the Aquatic Animal Health Regulations”;
- (23) In the headings to Tables 4A and 4B, for “Member States” substitute “constituent GB territories”.
- (24) Part 5 of Annex 1 is amended as follows.
- (25) In paragraph I.1, in the first unnumbered paragraph, for “Member State” substitute “constituent GB territory”.
- (26) In paragraph I.2.1—
 - (a) in the words before point (a)—
 - (i) for “Member State”, in both places where it occurs, substitute “constituent GB territory”;
 - (ii) for “Part II of Annex IV to [Directive 2006/88/EC](#)” substitute “Annex 1A to Regulation 1251/2008”;
 - (b) in point (a), for “Part II of Annex IV to [Directive 2006/88/EC](#)” substitute “Annex 1A to Regulation 1251/2008”;
 - (c) in point (c), for “Member State” substitute “constituent GB territory”.
- (27) In paragraph I.2.2 —
 - (a) in the first unnumbered paragraph, for “Member State” substitute “appropriate authority”;
 - (b) in the second unnumbered paragraph—
 - (i) in the words before point (a)—
 - (aa) for “Member State”, in both places where it occurs, substitute “constituent GB territory”;
 - (bb) for “Part II of Annex IV to [Directive 2006/88/EC](#)” substitute “Annex 1A to Regulation 1251/2008”;
 - (ii) in point (a), in the first paragraph, for the words from “Section 3” to “vicinity of” substitute “Part 4 of the Aquatic Animal Health Regulations must have been applied to”;
 - (iii) in point (b), for “Part II of Annex IV to [Directive 2006/88/EC](#)” substitute “Annex 1A to Regulation 1251/2008”;
 - (iv) in point (d), for the words from “sourced” to the end substitute—

“from—

 - (i) a constituent GB territory, zone or compartment with a Category 1 health status with regard to *Bonamia ostreae*;

- (ii) any part of Northern Ireland which has Category 1 health status, within the meaning of Part A of Annex 3 to the EU Directive, in respect of *Bonamia ostreae*;
- (iii) the Channel Islands, the Isle of Man or a third country, where the appropriate authority has consented to the restocking.”;
- (v) after point (d) insert—
 - “(da) For the purposes of point (d)(iii), consent may only be given if the appropriate authority is satisfied that the disease risk posed by molluscs from that source is no greater than if they were from a source which would satisfy point (d)(i).”.
- (vi) in point (e), for the words from “Part” to “State” substitute “Annex 1A to Regulation 1251/2008 within the constituent GB territory”.
- (28) In paragraph I.3, in the first unnumbered paragraph—
 - (a) for “Article 52 of [Directive 2006/88/EC](#)” substitute “Article 2c of Commission [Decision 2009/177/EC](#)”;
 - (b) for the words from “Part II” to “State” substitute “Annex 1A to Regulation 1251/2008 within the constituent GB territory”.
- (29) In the heading to paragraph I.4, for “Article 39 of [Directive 2006/88/EC](#)” substitute “Part 4 of the Aquatic Animal Health Regulations”.
- (30) In paragraph I.4—
 - (a) in the words before point (a), for “Member State” substitute “constituent GB territory”;
 - (b) in point (b), for the words from “sourced” to the end substitute—
 - “from—
 - (i) a constituent GB territory, zone or compartment with a Category 1, 2 or 3 health status with regard to *Bonamia ostreae*;
 - (ii) any part of Northern Ireland which has Category 1, 2 or 3 health status, within the meaning of Part A of Annex 3 to the EU Directive, in respect of *Bonamia ostreae*;
 - (iii) the Channel Islands, the Isle of Man or a third country, where the appropriate authority has consented to the restocking.”;
 - (c) after point (d) insert—
 - “For the purposes of point (b)(iii), consent may only be given if the appropriate authority is satisfied that the disease risk posed by molluscs from that source is no greater than if they were from a source which would satisfy point (b)(i).”.
- (31) In paragraph II.3, in the first unnumbered paragraph before point (i), for “Article 28 of [Directive 2006/88/EC](#)” substitute “Part 4 of the Aquatic Animal Health Regulations”;
- (32) In the headings to Tables 5A and 5B, for “Member States” substitute “constituent GB territories”.
- (33) In Part 6 of Annex 1—
 - (a) in paragraph I.1, in the third unnumbered paragraph before point (i), for “Member State” substitute “constituent GB territory”;
 - (b) in paragraph I.2.1—
 - (i) in point (a), in the first unnumbered paragraph—

- (aa) for “Member State”, in both places where it occurs, substitute “constituent GB territory”;
 - (bb) for “Part II of Annex IV to that Directive” substitute “Annex 1A to Regulation 1251/2008”;
- (ii) in point (b)(iii), for the words from “sourced” to the end substitute—
 - “from—
 - (aa) a constituent GB territory, zone or compartment with a Category 1 health status with regard to WSD;
 - (bb) any part of Northern Ireland which has Category 1 health status, within the meaning of Part A of Annex 3 to the EU Directive, in respect of WSD;
 - (cc) the Channel Islands, the Isle of Man or a third country, where the appropriate authority has consented to the restocking.”;
- (iii) after point (b) insert—
 - “(c) For the purposes of point (b)(iii)(cc), consent may only be given if the appropriate authority is satisfied that the disease risk posed by crustaceans from that source is no greater than if they were from a source which would satisfy point (b)(iii)(aa).”;
- (c) in paragraph I.2.2.1—
 - (i) in the words before point (a)—
 - (aa) for “Member State”, in both places where it occurs, substitute “constituent GB territory”;
 - (bb) for “Part II of Annex IV to [Directive 2006/88/EC](#)” substitute “Annex 1A to Regulation 1251/2008”;
 - (ii) in point (a), in the first paragraph, for the words from “Section 4” to “vicinity of” substitute “Part 4 of the Aquatic Animal Health Regulations must have been applied to”;
 - (iii) in point (b), in the words before point (i), for “Part II of Annex IV to [Directive 2006/88/EC](#)” substitute “Annex 1A to Regulation 1251/2008”;
 - (iv) in point (d)—
 - (aa) in point (i), for the words from “sourced” to the end substitute—
 - “from—
 - (aa) a constituent GB territory, zone or compartment with a Category 1 health status with regard to WSD;
 - (bb) any part of Northern Ireland which has Category 1 health status, within the meaning of Part A of Annex 3 to the EU Directive, in respect of WSD;
 - (cc) the Channel Islands, the Isle of Man or a third country, where the appropriate authority has consented to the restocking.”;
 - (bb) omit point (ii);
 - (v) after point (d) insert—
 - “(da) For the purposes of point (d)(i)(cc), consent may only be given if the appropriate authority is satisfied that the disease risk posed by crustaceans from that source is no greater than if they were from a source which would satisfy point (d)(i)(aa).”.

- (vi) in point (e), for the words from “Part” to “State” substitute “Annex 1A to Regulation 1251/2008 within the constituent GB territory”;
- (d) in paragraph I.2.2.2—
 - (i) in the words before point (a), for “Article 53(3) of that Directive” substitute “Article 2d of Commission [Decision 2009/177/EC](#)”;
 - (ii) in point (b), for the words from “sourced” to the end substitute—
 - “from—
 - (i) a constituent GB territory, zone or compartment with a Category 1 health status with regard to WSD;
 - (ii) any part of Northern Ireland which has Category 1 health status, within the meaning of Part A of Annex 3 to the EU Directive, in respect of WSD;
 - (iii) the Channel Islands, the Isle of Man or a third country, where the appropriate authority has consented to the restocking.”;
 - (iii) after point (b) insert—
 - “For the purposes of point (b)(iii), consent may only be given if the appropriate authority is satisfied that the disease risk posed by crustaceans from that source is no greater than if they were from a source which would satisfy point (b)(i).”.
- (e) in paragraph I.3—
 - (i) in the first unnumbered paragraph—
 - (aa) for “Article 52 of [Directive 2006/88/EC](#)” substitute “Article 2c of Commission [Decision 2009/177/EC](#)”;
 - (bb) for the words from “Part II” to “State” substitute “Annex 1A to Regulation 1251/2008 within the constituent GB territory”;
 - (ii) in the second unnumbered paragraph, for “Member States” substitute “constituent GB territories”;
- (f) in the heading to paragraph I.4, for “Article 39 of [Directive 2006/88/EC](#)” substitute “Part 4 of the Aquatic Animal Health Regulations”;
- (g) in paragraph I.4—
 - (i) in the words before point (a), for “Member State” substitute “constituent GB territory”;
 - (ii) in point (b), for the words from “sourced” to the end substitute—
 - “from—
 - (i) a constituent GB territory, zone or compartment with a Category 1, 2 or 3 health status with regard to WSD;
 - (ii) any part of Northern Ireland which has a Category 1, 2 or 3 health status, within the meaning of Part A of Annex 3 to the EU Directive, in respect of WSD;
 - (iii) the Channel Islands, the Isle of Man or a third country, where the appropriate authority has consented to the restocking.”;
 - (iii) after point (d) insert—
 - “For the purposes of point (b)(iii), consent may only be given if the appropriate authority is satisfied that the disease risk posed by crustaceans from that source is no greater than if they were from a source which would satisfy point (b)(i).”.
- (h) in paragraph II.3, in the words before point (a), for “Article 28 of [Directive 2006/88/EC](#)” substitute “Part 4 of the Aquatic Animal Health Regulations”;

- (i) in the headings to Tables 6A and 6B, for “Member States” substitute “constituent GB territories”.
- (34) In Annex 2—
 - (a) in the section headed “Introduction”, in the words before the table, for the words from “Part II” to “that Directive:” substitute “Annex 1A to Regulation 1251/2008 (‘the listed diseases’)”;
 - (b) in Part 1—
 - (i) in paragraph I.6, omit the words from “or to” to “[Directive 2006/88/EC](#)”;
 - (ii) in paragraph III, in the second unnumbered subparagraph—
 - (aa) for “the European Union”, in both places where it occurs, substitute “Europe”;
 - (bb) omit “from the Member States”;
 - (c) in Part 2, in paragraph I.2.2, in the final unnumbered subparagraph, omit the words from “or to” to “[Directive 2006/88/EC](#)”;
 - (d) in Part 3—
 - (i) in paragraph II.1.3, in the second unnumbered paragraph, for the words from “the European” to “Association” substitute “Europe”;
 - (ii) in paragraph II.2.4, in point (b), omit the words from “or” to the end;
 - (e) in Part 6, in paragraph 1, in the second unnumbered subparagraph, omit the words from “applied” to “Laboratory”.