



Aquaculture and Fisheries (Scotland) Act 2007

2007 asp 12

PART 2

GYRODACTYLUS SALARIS: CONTAINMENT AND TREATMENT

Preliminary designation of area by order

14 Preliminary designation of area by order

After section 2ZA of the 1937 Act (as inserted by section 13 above), insert—

“Preliminary designation of area: Gyrodactylus salaris

2ZB (1) If at any time the Scottish Ministers have reasonable grounds for suspecting that any of the inland waters of the United Kingdom or the marine waters adjacent to the United Kingdom are infected waters by reason of the presence of the parasite *Gyrodactylus salaris*, they may by order made by statutory instrument designate such part (or all) of—

- (a) the inland waters of Scotland;
- (b) the marine waters adjacent to Scotland,

as they consider appropriate.

(2) An order under subsection (1) may also—

- (a) prohibit or regulate the taking into or out of the area designated in the order of such of the following (or of such description of them) as may be specified in the order—

- (i) live fish;
- (ii) live eggs of fish;
- (iii) foodstuff for fish;

- (b) regulate the movement within the area of such of those things (or of such description of them) as may be specified in the order,

Status: This is the original version (as it was originally enacted).

until the expiry of the period of 30 days beginning with the day the order is made.

- (3) Where an order under subsection (1) (a “first order”) is made, and the Scottish Ministers consider it appropriate to do so, they may by order made by statutory instrument before the expiry of the period of 30 days specified in the first order extend the period to 60 days; and if they do so, any provision in the first order which does any of the matters referred to in paragraph (a) or (b) of subsection (2) applies until the expiry of the period of 60 days beginning with the day the first order was made.
- (4) A statutory instrument containing an order under subsection (1) or (3) is to be laid before the Scottish Parliament after it is made.
- (5) Any person who intentionally contravenes any provision of an order under subsection (1) or (3) is guilty of an offence.
- (6) In subsection (1)—
 - “inland waters” means waters which do not form part of the sea or of any creek, bay or estuary or of any river as far as the tide flows;
 - “marine waters adjacent to the United Kingdom” means waters (other than inland waters) within the seaward limits of the territorial sea adjacent to the United Kingdom;
 - “marine waters adjacent to Scotland” means so much of the marine waters adjacent to the United Kingdom as are adjacent to Scotland.”.