
STATUTORY INSTRUMENTS

2015 No. 10

The Keeping and Introduction of Fish (England and River Esk Catchment Area) Regulations 2015

PART 1

INTRODUCTION

Citation, commencement and application

- 1.—(1) These Regulations—
- (a) may be cited as the Keeping and Introduction of Fish (England and River Esk Catchment Area) Regulations 2015; and
 - (b) come into force on 19th January 2015.
- (2) With the exception of Part 5, these Regulations apply in relation to live fish in—
- (a) England, and
 - (b) so much of the catchment area of the River Esk as is in Scotland.

Interpretation

2. In these Regulations—
- “the Agency” means the Environment Agency;
- “fish” means fish or the spawn of fish and includes molluscs and crustaceans;
- “inland waters” means any water of a kind specified in section 221 of the Water Resources Act 1991⁽¹⁾ except that it does not include—
- (a) the River Tweed, or
 - (b) garden ponds less than 0.4 hectares in area, which are not fished, have no links to other waters and are located within the curtilage of a residential property;
- “keeping”, in relation to fish, means having, owning or controlling fish in inland waters;
- “permit” means a permit granted or to be granted under regulation 6(1);
- “premises”, except in regulation 3, means—
- (c) any land, artificial island, marine installation or structure;
 - (d) any vehicle; or
 - (e) any vessel;
- “vehicle” includes a trailer;

“vessel” includes any ship or boat or other vessel used in navigation, and any hovercraft, submersible craft or other floating craft, but does not include anything that permanently rests on, or is permanently attached to, the sea bed.

Exclusions

3. These Regulations do not apply in relation to activities which take place—
 - (a) on the premises of an aquaculture production business authorised under regulation 6 of the Aquatic Animal Health (England and Wales) Regulations 2009⁽²⁾; or
 - (b) during transportation between—
 - (i) the premises of any such business; or
 - (ii) the premises of one such business and the premises of another such business.

(2) S.I. 2009/463.