

1991 No. 458**DISEASES OF FISH****Risk of Infection (Fish) Order (Northern Ireland) 1991**

Made 14th October 1991

Coming into operation 1st December 1991

The Department of Agriculture, in exercise of the powers conferred on it by section 3 of the Diseases of Fish Act (Northern Ireland) 1967(a), being satisfied that there is a likelihood of the waters specified in the Schedule becoming infected waters, and of every other power enabling it in that behalf, hereby makes the following Order:

Citation and commencement

1. This Order may be cited as the Risk of Infection (Fish) Order (Northern Ireland) 1991 and shall come into operation on 1st December 1991.

Interpretation

2. In this Order—

“the Department” means the Department of Agriculture; and

“salmonidae” means fish of the family Salmonidae, including the Genera *Salmo*, *Salvelinus* and *Oncorhynchus*.

Prohibition

3. Subject to Article 4, a person shall not bring into Northern Ireland, otherwise than under the authority and in accordance with the terms of a written permit issued by the Department, any salmonidae, whether alive or dead, other than canned or cooked fish duly imported into Northern Ireland in compliance with any regulations for the time being in force relating to matters of public health or food hygiene.

Exceptions

4. This Order shall not apply to—

(a) frozen eviscerated salmonidae brought into Northern Ireland; and

(b) fresh, dead salmonidae brought into Northern Ireland from the Republic of Ireland.

(a) 1967 c. 7 (N.I.), relevant amending Orders are S.I. 1981/227 (N.I. 7) Art. 3(4) and S.I. 1991/1466 (N.I. 13) Art. 35(1) and Sch. 3 para. 13

Revocation

5. The Risk of Infection (Fish) Order (Northern Ireland) 1978(a) is hereby revoked.

Sealed with the Official Seal of the Department of Agriculture on 14th October 1991.

(L.S.)

L. Sinclair

Assistant Secretary

SCHEDULE

Waters likely to become infected waters

All waters in Northern Ireland.

EXPLANATORY NOTE

(This note is not part of the Order.)

This Order prohibits the bringing into Northern Ireland of salmonidae fish (i.e., in practical terms, Atlantic salmon, Pacific salmon, sea trout, brown trout, rainbow trout, char and brook trout) unless such fish are canned or cooked. The prohibition does not apply to any salmonidae imported under the authority of a permit issued by the Department of Agriculture (Article 3).

The Order does not apply to imports of frozen eviscerated salmonidae, nor to fresh, dead salmonidae imported from the Republic of Ireland (Article 4).

The main difference between this Order and the Risk of Infection (Fish) Order (Northern Ireland) 1978, which it replaces (Article 5), is that imports of frozen salmonidae, except for eviscerated fish, are additionally prohibited unless a permit has been issued under Article 3.

Under section 3(4) of the Diseases of Fish Act (Northern Ireland) 1967, any person who contravenes any provision of this Order, or the terms of a permit issued under Article 3, is guilty of an offence and, under section 201(1) of the Fisheries Act (Northern Ireland) 1966 (as amended), is liable on summary conviction to a fine not exceeding level 4 on the standard scale (£1,000).