
STATUTORY INSTRUMENTS

2009 No. 3344

The Eels (England and Wales) Regulations 2009

PART 1

General

Title, commencement and application

1. These Regulations—
 - (a) may be cited as the Eels (England and Wales) Regulations 2009;
 - (b) come into force on 15th January 2010;
 - (c) apply in England and Wales;
 - (d) do not apply to so much of the River Tweed as is situated within the Tweed District as defined by the Scotland Act 1998 (River Tweed) Order 2006 ^{M1}.

Marginal Citations

M1 [S.I. 2006/2913](#).

Interpretation

2. In these Regulations—

“the Agency” means the Environment Agency;

[^{F1}“the appropriate agency” means (except as provided in regulation 4)—

 - (a) in relation to England, the Agency, and
 - (b) in relation to Wales, the NRBW;]

“appointed person” has the meaning given in paragraph 2 of the Schedule;

“dam” means any structure designed to confine, direct, or control water and includes weirs;

“diversion structure” means any conduit or channel by which water is abstracted from its usual channel or bed or from the sea, or by which water is returned to that (or another) channel, bed or sea;

“eels” means any fish of the species *Anguilla anguilla*, and includes elvers and glass eels;

“eel pass” means any device, opening or structure that allows the passage of eels around, over or through any dam or obstruction;

“eel screen” means any device, moving or stationary, that is designed to impede the passage of eels through a diversion structure;

“England” includes the territorial sea adjacent to England not forming any part of Wales;

“fish pass” means any device, opening or structure that facilitates the passage of fish around, over or through any dam or obstruction;

[^{F1}“the NRBW” means the Natural Resources Body for Wales;]

“obstruction” means anything (whether natural or artificial) in or near waters that impedes, or is likely to impede, the passage of eels through those waters;

“Wales” has the same meaning as in section 158 of the Government of Wales Act 2006 ^{M2}.

F1 Words in reg. 2 inserted (1.4.2013) by [The Natural Resources Body for Wales \(Functions\) Order 2013 \(S.I. 2013/755\)](#), art. 1(2), **Sch. 4 para. 355** (with Sch. 7)

Marginal Citations

M2 2006 c. 32.

Changes to legislation:

There are currently no known outstanding effects for the The Eels (England and Wales) Regulations 2009, PART 1.