

Draft Regulations laid before the Scottish Parliament under Schedule 2 paragraph 2 to the European Communities Act 1972, for approval by resolution of the Scottish Parliament. These draft Regulations replace the Regulations laid on 27th September 2011 and are being issued free of charge to all known recipients of those draft Regulations.

DRAFT SCOTTISH STATUTORY INSTRUMENTS

2011 No.
ANIMALS
RIVER
FISH FARMING

The Aquatic Animal Health (Miscellaneous
Modifications) (Scotland) Regulations 2011

Made - - - - 2011

Coming into force in accordance with regulation 1

The Scottish Ministers make the following Regulations in exercise of the powers conferred by section 2(2) of, and paragraph 1A of Schedule 2 to, the European Communities Act 1972⁽¹⁾ and all other powers enabling them to do so.

These Regulations make provision for a purpose mentioned in section 2(2) of the European Communities Act 1972 and it appears to the Scottish Ministers that it is expedient for any reference to—

- (a) Regulation (EC) No 853/2004 of the European Parliament and of the Council laying down specific hygiene rules for food of animal origin⁽²⁾; and
- (b) 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⁽³⁾,

to be construed as a reference to those instruments as amended from time to time.

In accordance with paragraph 2 of Schedule 2 to that Act, a draft of this instrument has been laid before and approved by resolution of the Scottish Parliament.

(1) 1972 c.68; section 2(2) was amended by the Scotland Act 1998 (c.46) (“the 1998 Act”), Schedule 8, paragraph 15(3) (which was amended by the Legislative and Regulatory Reform Act 2006 (c.51) (“the 2006 Act”), section 27(4)). Section 2(2) was also amended by the 2006 Act, section 27(1)(a) and by the European Union (Amendment) Act 2008 (c.7) (“the 2008 Act”), Schedule, Part 1. Paragraph 1A of Schedule 2 was inserted by the 2006 Act, section 28 and amended by the 2008 Act, Schedule, Part 1. Paragraph 2(2) of Schedule 2 has been modified by paragraph 5 of schedule 3 to the Interpretation and Legislative Reform (Scotland) Act 2010 (asp 10). The functions conferred upon the Minister of the Crown under section 2(2), in so far as within devolved competence, were transferred to the Scottish Ministers by virtue of section 53 of the 1998 Act.

(2) OJ L 139, 30.4.2004, p.55, as last amended by Commission Regulation (EU) No. 150/2011 (OJ L 46, 19.2.2011, p.14).

(3) OJ L 328, 24.11.2006, p.14 as last amended by Commission Directive 2008/53/EC (OJ L 117, 1.5.2008, p.27).

Draft Legislation: This is a draft item of legislation. This draft has since been made as a Scottish Statutory Instrument: *The Aquatic Animal Health (Miscellaneous Modifications) (Scotland) Regulations 2011 No. 427*
