

**2008 No. 222**

**RIVER**

**SALMON AND FRESHWATER FISHERIES**

**The Registration of Fish Farming and Shellfish Farming  
Businesses Amendment (Scotland) Order 2008**

<i>Made</i> - - - -	<i>4th June 2008</i>
<i>Laid before the Scottish Parliament</i>	<i>5th June 2008</i>
<i>Coming into force</i> - -	<i>27th June 2008</i>

The Scottish Ministers make the following Order in exercise of the powers conferred by section 7(1), (2) and (3) of the Diseases of Fish Act 1983<sup>(a)</sup> and all other powers enabling them to do so.

**Citation, commencement and extent**

1.—(1) This Order may be cited as the Registration of Fish Farming and Shellfish Farming Businesses Amendment (Scotland) Order 2008 and comes into force on 27th June 2008.

(2) This Order extends to Scotland only.

**Amendment of the Registration of Fish Farming and Shellfish Farming Businesses Order 1985**

2.—(1) The Registration of Fish Farming and Shellfish Farming Businesses Order 1985<sup>(b)</sup> is amended as follows.

(2) For Schedule 4 substitute the Schedule set out in Schedule 1 to this Order.

(3) For Schedule 5 substitute the Schedule set out in Schedule 2 to this Order.

*MICHAEL W RUSSELL*

Authorised to sign by the Scottish Ministers

St Andrew's House,  
Edinburgh  
4th June 2008

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<sup>(a)</sup> 1983 c.30. The functions of the Secretary of State were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c.46).

<sup>(b)</sup> S.I. 1985/1391; amended by S.I. 1994/1447 and 1997/1881 and S.S.I. 2002/193 and 220.

## SCHEDULE 1

Article 2(2)

### Escapes of Fish

## “SCHEDULE 4

Article 4A(2)

### FARMED FISH ESCAPES – INITIAL NOTIFICATION

This form is to be submitted following **any circumstance** which caused or might have caused an escape of fish from a fish farm.  
Please refer to “WHAT TO DO IN THE EVENT OF AN ESCAPE OF FISH FROM A FISH FARM” for further guidance on how to complete this form:  
[www.scotland.gov.uk/Topics/Fisheries/Fish-Shellfish](http://www.scotland.gov.uk/Topics/Fisheries/Fish-Shellfish)

1. Please supply details of the business and the site:

Site Name:		Site No:	
Business Name:		Business No:	
Contact Name:		Telephone No:	
Fax No:		Email Address:	

2. Please supply the following details regarding the fish escape:

Date & time of incident (nearest estimate)		OS grid reference:	
Site location:		Estimated number of fish lost:	
Species:		Average weight:	
Age in months:		Growth stage:	
Please supply details of any treatments administered for which the fish are in withdrawal:			
Please confirm whether the fish were healthy at the time of the escape, or the nature of any disease:			
Please confirm mortality rates on site and the reasons for mortality:			

3. Please provide details of the circumstance surrounding the fish escape (if necessary continue on a separate sheet):

<p>Consider:</p> <p>Human error, predation, suspected foul play, failure or wear and tear of equipment (mooring, ropes, netting, cages or pens, boats):</p> <p>Weather conditions (wave height, wind speed and tidal strength):</p>	
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Completed by:		<b>The form should be sent to:</b>	
Position in Organisation:		Scottish Government Marine Directorate, Room 401, Pentland House 47 Robb's Loan EH14 1TY	Tel: 0131 244 6226 Fax: 0131 244 6512
Date:		Email: <a href="mailto:escapes@scotland.gsi.gov.uk">escapes@scotland.gsi.gov.uk</a>	

## SCHEDULE 2

Article 2(3)

### Escapes of Fish

## “SCHEDULE 5

Article 4B(2)

### FARMED FISH ESCAPES – FINAL NOTIFICATION

This form is to be submitted **not later than 28 days** following the initial notification of circumstances which caused or might have caused the escape of fish from a fish farm.  
Please refer to “WHAT TO DO IN THE EVENT OF AN ESCAPE OF FISH FROM A FISH FARM” for further guidance on how to complete this form.  
[www.scotland.gov.uk/Topics/Fisheries/Fish-Shellfish](http://www.scotland.gov.uk/Topics/Fisheries/Fish-Shellfish)

*1. Please supply details of the business and the site:*

Site Name:		Site No:	
Business Name:		Business No:	
Contact Name:		Telephone No:	
FAX No:		Email Address:	

*2. Please provide final details of the escape or suspected escape:*

Date of initial notification:		Total number of fish lost (if none please specify “none”)*:	
Marine Directorate incident reference:		Number of fish recovered (if none please specify “none”):	
Action taken by business to recover fish:		Have site movement records been updated:	

*3. Follow-up action:*

What preventative measures have or will be taken to minimise the risk of a similar incident occurring on this or any of the business’ other sites (continue on a separate sheet if necessary):	
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Completed by:		<b>The form should be sent to:</b>
Position in Organisation:		Scottish Government Marine Directorate, Room 401, Tel: 0131 244 6226 Pentland House Fax: 0131 244 6512 47 Robb's Loan EH14 1TY
Date:		Email: <a href="mailto:escapes@scotland.gsi.gov.uk">escapes@scotland.gsi.gov.uk</a>

*\* If number of fish lost is unknown at this point please submit a further final notification form once losses have been established."*

## **EXPLANATORY NOTE**

*(This note is not part of the Order)*

This Order amends the Registration of Fish Farming and Shellfish Farming Businesses Order 1985 (“the principal Order”). It substitutes for the forms set out in Schedules 4 and 5 to the principal Order revised forms to be used for the notification of escapes from fish farms.

A Regulatory Impact Assessment has not been carried out as the Order is not expected to have any impact on the cost to businesses.