
SCOTTISH STATUTORY INSTRUMENTS

2009 No. 85

**RIVER
FISH FARMING**

The Aquatic Animal Health (Scotland) Regulations 2009

Made - - - - *5th March 2009*
Laid before the Scottish
Parliament - - - - *5th March 2009*
Coming into force in accordance with regulation 1

The Scottish Ministers make these Regulations in exercise of the powers conferred by section 2(2) of, and paragraph 1A(1) of Schedule 2 to, the European Communities Act 1972(2).

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 references to the following Community instruments to be construed as a reference to those instruments as amended from time to time:

- (a) Commission Decision [2004/453/EC\(3\)](#) on implementing Council Directive [91/67/EEC](#) as regards measures against certain diseases in aquaculture animals;
- (b) Council Directive [2006/88/EC\(4\)](#) on animal health requirements for aquaculture animals and products thereof, and on the prevention and control of certain diseases in aquatic animals; and
- (c) Commission Regulation ([EC](#)) No. [1251/2008\(5\)](#) on implementing Directive [2006/88/EC](#) as regards conditions and certification requirements for the placing on the market and the import into the Community of aquaculture animals and products thereof and laying down a list of vector species.

(1) Paragraph 1A of Schedule 2 was inserted by section 28 of the Legislative and Regulatory Reform Act [2006 \(c. 51\)](#).
(2) [1972 c. 68](#). Section 2(2) was amended by the Scotland Act [1998 \(c. 46\)](#) Schedule 8, paragraph 15(3) and section 27 of the Legislative and Regulatory Reform Act 2006. The functions conferred upon the Minister of the Crown under section 2(2) of the 1972 Act, insofar as within devolved competence, were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act [1998 \(c. 46\)](#).
(3) O.J. No. L 156, 30.4.2004, p.5, corrected by O.J. No. L 202, 7.6.2004, p.4 which substitutes new text for the whole of Commission Decision [2004/453/EC](#).
(4) O.J. No. L 328, 24.11.2006, p.14.
(5) O.J. No. L 337, 16.12.2008, p.41.