
SCOTTISH STATUTORY INSTRUMENTS

2009 No. 85

The Aquatic Animal Health (Scotland) Regulations 2009

PART 5

ADDITIONAL PROVISION IN RELATION TO *GYRODACTYLUS SALARIS*

Additional powers in relation to *Gyrodactylus salar*ies

32.—(1) Where the competent authority has made an initial designation under regulation 24(1) or a confirmed designation under regulation 28(1) in relation to *Gyrodactylus salaris*, it may exercise the powers in paragraphs (2) and (3).

- (2) The competent authority may, where it considers it appropriate to do so, arrange for—
- (a) the creation and maintenance of barriers to the movement of any aquatic animal in any inland waters in Scotland—
 - (i) to prevent the spread of *Gyrodactylus salaris*; and
 - (ii) to facilitate treatment with chemical agents with a view to eradicating *Gyrodactylus salaris* from the waters concerned;
 - (b) the treatment with chemical agents of any waters in the initial designation area or the confirmed designation area, as the case may be, with a view to eradicating *Gyrodactylus salaris* from the waters concerned; and
 - (c) the dismantling and removal of barriers created under subparagraph (a).

(3) For the purpose of facilitating the exercise of their power under paragraph (2)(a), the competent authority may purchase land in Scotland compulsorily.

Clearance of certain fish farms – *Gyrodactylus salar*ies

33.—(1) This regulation applies where the competent authority has made an initial designation under regulation 24(1) or a confirmed designation under regulation 28(1) in relation to infection with *Gyrodactylus salaris*.

- (2) An inspector may by written notice direct a person to—
- (a) withdraw all aquatic animals from the waters of the farm;
 - (b) drain, clean and disinfect all pools and cages in the farm;
 - (c) destroy all—
 - (i) dead aquatic animals;
 - (ii) live aquatic animals withdrawn from the farm which show clinical signs of the disease known as gyrodactylosis caused by *Gyrodactylus salaris*;
 - (iii) live aquatic animals withdrawn from the farm which show signs of the presence of *Gyrodactylus salaris*;
 - (d) clean and disinfect or destroy equipment, material or substances liable to be contaminated with *Gyrodactylus salaris*;

- (e) obtain the prior written consent of the competent authority before repopulating the farm.
- (3) It is an offence not to comply with a requirement imposed under paragraph (2).

Power to take other measures – *Gyrodactylus salaris*

34. The competent authority may take such other measures (including regulating entry to and exit from an initial designation area or a confirmed designation area) as it considers appropriate for the purpose of eradicating, or preventing, or limiting the spread of *Gyrodactylus salaris*.