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SCOTTISH STATUTORY INSTRUMENTS

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**2015 No. 103**

**The Alien and Locally Absent Species in  
Aquaculture (Scotland) Regulations 2015**

**PART 3**

**MOVEMENT OF ANNEX IV SPECIES AND  
TRANSLOCATION OF LOCALLY ABSENT SPECIES**

**Movement of Annex IV species**

**11.**—(1) This regulation applies where the competent authority receives notification under regulation 9(2) of a proposal to move an Annex IV species or where notification is deemed to have been given by virtue of regulation 9(3).

(2) The competent authority must serve a written notice on the person proposing to undertake the movement—

- (a) prohibiting the movement;
- (b) permitting the movement and any subsequent movement of the same species undertaken by that person to the same aquaculture facility subject to any conditions stated in the notice; or
- (c) requiring the person, at that person's own cost, to submit an environmental risk assessment carried out in accordance with Article 9(1) of Council Regulation 708/2007.

(3) After considering any environmental risk assessment required under paragraph (2)(c) the competent authority must serve a written notice on the person proposing to undertake the movement—

- (a) prohibiting the movement; or
- (b) permitting the movement and any subsequent movement of the same species by that person to the same aquaculture facility subject to any conditions specified in the notice.

(4) A notice served under paragraph (2)(b) or (3)(b) must contain—

- (a) the unique reference number assigned to the notice;
- (b) the duration of the notice;
- (c) the species to which the notice applies; and
- (d) the aquaculture facility into which the movement is permitted.

(5) A notice served under paragraph (2)(a) or (b) or (3)(a) or (b) must include—

- (a) the reasons for that decision; and
- (b) information on the right of appeal under regulation 16.

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**Changes to legislation:** There are currently no known outstanding effects for the The Alien and Locally Absent Species in Aquaculture (Scotland) Regulations 2015, Section 11. (See end of Document for details)

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**Commencement Information**

**11** [Reg. 11](#) in force at 3.4.2015, see [reg. 1\(1\)](#)

**Changes to legislation:**

There are currently no known outstanding effects for the The Alien and Locally Absent Species in Aquaculture (Scotland) Regulations 2015, Section 11.