

**2020 No. 447**

**FISH FARMING**

**The Fish Farming Businesses (Reporting) (Scotland) Order 2020**

*Made* - - - - *17th December 2020*

*Laid before the Scottish Parliament* *21st December 2020*

*Coming into force* - - *29th March 2021*

The Scottish Ministers make the following Order in exercise of the powers conferred by section 1(1) of the Aquaculture and Fisheries (Scotland) Act 2007<sup>(a)</sup> and all other powers enabling them to do so.

The Scottish Ministers consider it necessary to make this Order for the purpose of obtaining information in relation to the prevention, control and reduction of parasites on fish farms.

**Citation and commencement**

1. This Order may be cited as the Fish Farming Businesses (Reporting) (Scotland) Order 2020 and comes into force on 29 March 2021.

**Interpretation**

2. In this Order—

“reporting week” means a period of seven days beginning on a Monday,

“site” means a site that is not in freshwater, at which fish are farmed.

**Reporting**

3.—(1) For the purpose of obtaining information in relation to the prevention, control and reduction of parasites on fish farms, a person who carries on a business of fish farming must, in respect of each site of that business, provide to the Scottish Ministers the information specified in the schedule.

(2) Subject to paragraph 1(3) of the schedule, the information referred to in paragraph (1) must be provided in writing in respect of each reporting week and, in each case, no later than 8 days after the end of the reporting week.

**Amendment of the Fish Farming Businesses (Record Keeping) (Scotland) Order 2008**

4. In schedule 1 (records in relation to the prevention, control and reduction of parasites) of the Fish Farming Businesses (Record Keeping) (Scotland) Order 2008<sup>(a)</sup> for paragraph 2(f) substitute—

- “(f) the number of parasites counted on the fish sampled per facility and the stages of the life-cycle of the parasites counted, those stages—
- (i) for *Caligus elongatus* being all identifiable stages grouped together, and
  - (ii) for *Lepeophtheirus salmonis* being chalimus, adult females (gravid and non-gravid) and all other identifiable mobile stages grouped together; and”.

*FERGUS EWING*

A member of the Scottish Government

St Andrew's House,  
Edinburgh  
17th December 2020

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<sup>(a)</sup> S.S.I. 2008/326.

## SCHEDULE

Article 3

### Information to be reported in relation to the prevention, control and reduction of parasites on fish farms

1.—(1) The average number of adult female (gravid and non-gravid) *Lepeophtheirus salmonis* counted per fish per site in the reporting week, to be calculated by applying the following formula—

$$\frac{A}{B}$$

where—

- (a) A = the total number of adult female (gravid and non-gravid) *Lepeophtheirus salmonis* counted on sampled fish in a site in the reporting week,
- (b) B = the number of fish sampled in that site in that reporting week.

(2) In the event that a count of adult female (gravid and non-gravid) *Lepeophtheirus salmonis* is not conducted in a reporting week, the reason for not conducting the count.

(3) Where the reason provided under sub-paragraph (2) is that the site is fallow, no information is required to be provided in respect of that site until such time as the site ceases to be fallow.

## EXPLANATORY NOTE

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

This Order requires persons who carry on a business of fish farming to report specified information on a weekly basis to the Scottish Ministers for the purpose of obtaining information in relation to the prevention, control and reduction of parasites on fish farms.

Article 3 provides that the information specified in the schedule must be reported to the Scottish Ministers no later than 8 days after the end of the week to which it relates.

The information specified in the schedule is the average number of adult female *Lepeophtheirus salmonis* counted per fish per fish farm site in a given week. If no count of *Lepeophtheirus salmonis* is carried out in that week, the reason for that must be given in the report. Where the reason for no count being carried out is that the site is fallow, no further reporting is required until the site ceases to be fallow.

In terms of section 2 of the Aquaculture and Fisheries (Scotland) Act 2007 it is an offence to fail to comply, without reasonable excuse, with a requirement of this Order, or to knowingly provide any information which is false in a material particular. An offence under section 2 is punishable on summary conviction by a fine not exceeding level 4 on the standard scale.

Article 4 amends the Fish Farming Businesses (Record Keeping) (Scotland) Order 2008 to clarify the stages of the life-cycle of parasites to be counted and recorded in the course of a weekly count of parasites in a fish farm.

A Business Regulatory Impact Assessment has been prepared and placed in the Scottish Parliament Information Centre. Copies can be obtained from Marine Scotland, the Scottish Government, Victoria Quay, Edinburgh, EH6 6QQ.

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