

**2011 No. 981**

**ANIMALS, ENGLAND AND WALES**

**The Aquatic Animal Health (England and Wales) (Amendment)  
Regulations 2011**

<i>Made</i>	- - - -	<i>29th March 2011</i>
<i>Laid before Parliament</i>		<i>30th March 2011</i>
<i>Laid before the National Assembly for Wales</i>		<i>30th March 2011</i>
<i>Coming into force</i>	- -	<i>1st May 2011</i>

The Secretary of State and the Welsh Ministers are each designated<sup>(a)</sup> for the purposes of section 2(2) of the European Communities Act 1972<sup>(b)</sup> in relation to the common agricultural policy.

The Secretary of State in relation to England and the Welsh Ministers in relation to Wales make these Regulations under the powers conferred by that section.

**Title and commencement**

1. These Regulations may be cited as the Aquatic Animal Health (England and Wales) (Amendment) Regulations 2011 and come into force on 1st May 2011.

**Amendment to the Aquatic Animal Health (England and Wales) Regulations 2009**

2.—(1) The Aquatic Animal Health (England and Wales) Regulations 2009<sup>(c)</sup> are amended as follows.

(2) In regulation 3 (interpretation)—

- (a) in paragraph (1), omit the definition of “Decision 2004/453/EC”;
- (b) in paragraph (3), omit the words “Decision 2004/453/EC.”.

(3) In paragraphs (1) and (2) of regulation 17 (certification requirements), omit the words “Article 5 of Decision 2004/453/EC or”.

(4) In regulation 25 (contents and publication of an initial designation), after paragraph (3), insert—

“(3A) An initial designation may be amended, suspended or withdrawn by further notice.”.

(5) In regulation 29 (contents and publication of a confirmed designation), after paragraph (3), insert—

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(a) S.I. 1972/1811 and S.I. 2010/2690.  
(b) 1972 c. 68.  
(c) S.I. 2009/463.

“(3A) A confirmed designation may be amended, suspended or withdrawn by further notice.”.

(6) At the end of the table in Schedule 1 (list of diseases)—

- (a) in the left hand column (disease) add “Ostreid herpesvirus 1  $\mu$ var (OsHV-1  $\mu$ var)”; and
- (b) in the corresponding entry in the right hand column (susceptible species) add “Pacific oyster (*Crassostrea gigas*)”.

18th March 2011

*Jim Paice*  
Minister of State  
Department for Environment, Food and Rural Affairs

29th March 2011

*Elin Jones*  
Minister for Rural Affairs, one of the Welsh Ministers

### EXPLANATORY NOTE

*(This note is not part of these Regulations)*

The Aquatic Animal Health (England and Wales) Regulations 2009 (the 2009 Regulations) implement Council Directive 2006/88/EC (OJ No L 238, 24.11.2006, p14) on animal health requirements for aquaculture animals and products thereof and on the prevention and control of certain diseases in aquatic animals.

These Regulations amend the 2009 Regulations to remove references to repealed legislation, make provision relating to the amendment, suspension and withdrawal of initial and confirmed designations and add Ostreid herpesvirus 1  $\mu$ var to the list of notifiable diseases,

An impact assessment has not been produced for this instrument as no impact on business, the private or voluntary sectors is foreseen.

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