

Introducing fish, fry or ova - The Salmon and Freshwater Fisheries (Consolidation) (Scotland) Act 2003, section 33A

Guidance notes on applying to the Scottish Ministers for Consent to introduce fish, fry or ova

Please read these guidance notes and the [Scottish Government Policy on Fish Introductions](#) before you start to fill in the form. If you need any advice or clarification, please get in touch with Marine Scotland Science, Freshwater Laboratory via MSSFFintroductions@gov.scot or call 0131 244 2900 to be directed to someone who can assist.

Background - If you wish to introduce fish (including fry or ova) into any Scottish inland waters you require the previous consent in writing of the Scottish Ministers, other than for salmon or sea trout in areas with a District Salmon Fishery Board in place or any species of fish in the Tweed District. In these cases you require the consent of the relevant District Salmon Fishery Board or River Tweed Commission instead. If you introduce or possess fish with the intention of introducing them without consent, you will be liable for prosecution. This regulatory regime is primarily to protect native biodiversity from the consequences of indiscriminate introductions of fish to Scottish inland waters. This guidance deals with applications to the Scottish Ministers for consent. Applications are made under section 33A of The Salmon and Freshwater Fisheries (Consolidation) (Scotland) Act 2003). Your application will be assessed in line with the Scottish Government Policy on introduction of fish to Scottish inland waters.

Exceptions - Consent for introductions under section 33A of the 2003 Act is not required - (a) for transfers of fish into and between fish farms (including introduction of brood-stock into hatcheries) or (b) when fish are released at the same location as they were caught, during a single visit to the water, as for example in catch and release by anglers. In addition, we do not expect applications for introductions to garden ponds, provided these comply with the following definition: discrete, isolated bodies of water not exceeding 0.4 hectares in size on private residential premises, with no risk of escape of fish into the wild, that are not used for fishing or any commercial purposes related to fish rearing or dealing. **A licence under the Wildlife and Countryside Act to keep and release species listed in schedule 1, as described in the above section, may be still be required and you should contact NatureScot direct to discuss.**

Other than for these exceptions, any intentional release into inland waters of fish, fry or ova should be considered an introduction which requires consent.

Introducing certain fish species outwith their native range - If the application is to introduce a fish species that will be outwith it's native range and is for a site that is not fully enclosed, the introduction will also have to be licensed under the Wildlife and Countryside Act 1981. To enable this, the application may be forwarded by MSS to NatureScot for additional assessment and further licensing under that legislation. To keep and/or release fish species listed in Schedule 1 of the The Wildlife and Countryside Act 1981 (Keeping and Release and Notification Requirements) (Scotland) Order 2012 <https://www.legislation.gov.uk/ssi/2012/174/made> also requires a licence issued by NatureScot. Further information is available online at: www.nature.scot or via licensing@nature.scot

Making an application - Applications to the Scottish Ministers for consent to introduce fish should be made to by email to: MSSFFintroductions@gov.scot using Form SG35(v3.2), or by post to: Marine Scotland Science, Freshwater Fisheries Laboratory, Faskally, Pitlochry PH16 5LB

You should send in your application at least 20 working days before the planned introduction date. There is ordinarily no need to apply more than 10 weeks in advance. There is no application charge, although you may incur costs providing any additional information we may require.

[Completing the form](#) - Please refer to this guidance when you are filling in the form. If you need any advice, please contact Marine Scotland Science, Freshwater Laboratory via MSSFFIntroductions@gov.scot or call 0131 244 2900 to be directed to someone who can assist.

[Note 1](#) The applicant - We can only issue consent to an individual, named as the applicant. This individual is responsible for completing the form and ensuring that the fish are introduced as described. If the application is made by an organisation such as an angling club, an individual should apply for consent on behalf of that organisation.

[Note 2](#) Previous applications - Please provide the information requested.

[Note 3](#) Receiving water - The receiving water is the water to which the fish will be introduced. Separate applications are needed for introductions to more than one receiving water or different locations on the same river. A National Grid Reference is requested. This can be obtained online at various mapping sites including www.gridreferencefinder.com Alternatively, a map of the area can be provided with the receiving water and, in the case of rivers, the stocking site(s) clearly marked. The map should show the receiving water/stocking site(s) in relation to the nearest town or village, major roads and any other waterbodies or watercourses. Under The Aquatic Animal Health (Scotland) Regulations 2009 there is a legislative requirement for Marine Scotland to compile a register of all stocked fisheries. All applicants for introductions to stillwaters are expected to be able to provide a Site Registration Number or for new fisheries be able to advise that an application for the site to be registered will be made directly after stocking. Further information on registration of fisheries can be obtained from Marine Scotland Science, Marine Laboratory, Fish Health Inspectorate, 375 Victoria Road, Aberdeen, AB11 9DB email ms.fishhealth@gov.scot

[Note 4](#) Details of receiving water - Please provide the information requested. Information on whether the water is within a statutorily designated nature conservation site may be obtained using NatureScot's information website <https://sitelink.nature.scot/home> When using the map, please ensure you have clicked on the Designated Sites tab to display the site boundaries of the nature conservation sites.

[Note 5](#) The fish introduction - Applications may be made either for stocking on a single date (single consent) or for multiple stockings over a period (block consent). For block consents the standard period is a calendar year. However, for start dates after the start of a calendar year the period of consent will be from the start date to the end of the calendar year. Applications for shorter periods will be considered. The total number of fish to be introduced over the full period of the applied for consent should be given.

Information is requested on species, lifestage (ova, fry, juvenile or adult) number and size of fish to be introduced and whether they will be diploid or triploid. Your supplier will be able to provide you with this information. Fish are diploid unless they have been treated as eggs immediately after fertilisation. Triploids are normally sterile. Our [policy on stocking triploid only trout](#) provides further information.

[Note 6](#) Supplier/s - The information requested should be available from your supplier(s). This section should be completed in all cases, including where the fish come from a local hatchery. If there are multiple suppliers, please provide further details in Section 9.

Note 7 Source of the fish being introduced - **This section should only be filled in if the fish are to be sourced from the wild or are of wild broodstock origin.**

Note 8 Hauliers / holding facilities - **This section should only be completed if a company other than the supplier(s) you gave details for in section 6 move and deliver the fish.** If there is more than one haulier, please provide further details in Section 9. If a temporary holding facility is used prior to introduction to the receiving water, please give details.

Note 9 Supplementary information - Please provide any additional information here (for example, if there are more suppliers or hauliers, or if there is additional detail which you feel would be useful to us in assessing your application.)

Note 10 Data Protection - A notice stating how Marine Scotland Science manages your information can be found at <https://www.gov.scot/publications/freshwater-fisheries-privacy-notice/>

Note 11 Signature and declaration - Please read the declaration carefully before signing and dating. If you emailing your form please follow the instructions on the form.

After you fill in the form Please check all sections are complete and the form is signed and dated. If you send in a form with information missing or incomplete, we may not be able to process it until we receive the missing information. We aim to process applications received less than 10 weeks in advance within 20 working days plus any time it takes for the applicant to provide missing information. In some cases it may take longer, for example if we require to make a site visit, or if the nature conservation status of the receiving water obliges us to consult externally. If the application is going to take longer than 20 working days to process the person processing your application will contact you and let you know.

Issuing our decision If your application is approved, we will send you written consent. If Licensing under the Wildlife and Countryside Act is required and is approved this will be issued at the same time. If we cannot give you permission for the introduction we will write and tell you why. Once you have received our consent you must not change any of the details registered with us, whether shown on the consent or not, without our agreement. For example, you must not introduce fish of a different species, or from a different source, or of a significantly different size, weight or number of fish, or on a date or to a water not covered by the consent unless new documentation has been issued as appropriate.

If you do wish to change any of the details you should contact us as soon as possible. In some circumstances you may need to submit a new application. For each introduction of the fish to the site, you must have the consent with you. We may attend the introduction to check that you introduce the fish specified on the consent form.

Introduction of fish, or the possession of fish with the intention of introduction, without consent is an offence in terms of section 33A of the 2003 Act, punishable on summary conviction by a fine of up to level 3 on the standard scale. Please keep records of all introductions made for a suggested five years. We may ask you to provide us with details.

Fish health We strongly recommend that you ensure the fish you buy are healthy and do not carry the risk of introducing disease into the receiving water. Wherever possible, you should purchase your fish from a registered fish farm that is regularly health inspected and operating to a code of good practice or quality assurance scheme. Information about preventing the spread of fish diseases and on any aspects of fish health is available from the Duty Inspector, Marine Scotland Science, Marine Laboratory, Fish Health Inspectorate, 375 Victoria Road, Aberdeen, AB11 9DB (Tel: 0131 244

2500, email: ms.fishhealth@gov.scot) or in the case of fish being supplied from England and Wales: Fish Health Inspectorate, CEFAS Weymouth Laboratory, The Nothe, Barrack Road, Weymouth, Dorset, DT4 8UB (Tel: 01305 206673, Fax: 01305 206700, e-mail: fhi@cefas.co.uk). If you suspect a notifiable disease could be present in the fish to be introduced you must inform the Fish Health Inspectorate, and resolve any issues before any fish are moved.

[Invasive non-native species](#). Invasive non-native species such as North American signal crayfish may be brought in inadvertently, either with fish or with transport water. It is very important that introductions of fish do not result in introductions of non-native species; provisions within the The Wildlife and Countryside Act 1981 make it an offence to be in the possession of or to release North American Signal Crayfish or any other invasive non-native species into Scottish fresh waters. Further information on managing invasive species can be obtained at:

<https://www.nature.scot/professional-advice/protected-areas-and-species/protected-species/invasive-non-native-species> and for Signal crayfish in particular:
<https://www.nature.scot/north-american-signal-crayfish>