

## **Fish Health Inspectorate**

### **Department for Environment, Food & Rural Affairs**

# **Non-qualifying regulatory provision assurance statement: confirmed**

Under the better regulation framework, for measures being introduced during the 2017-22 parliament there is no requirement for regulators to submit their NQRP summaries for Regulatory Policy Committee (RPC) assurance. The RPC welcomes the Fish Health Inspectorate's voluntary submission of its 2018/19 NQRP summary for RPC assurance.

The Regulatory Policy Committee (RPC) is content that, based on the summary information provided by the regulator, none of the measures or activities covered in the summary document should be considered as a qualifying regulatory provision for the purposes of the business impact target (BIT). This statement does not provide a detailed view of any specific activity in the regulator's summary document. Nor does it comment on any activities not covered in the summary. Some activities might, however, have been the subject of separate assessments of qualifying regulatory provisions.

#### **Comments on the non-qualifying regulatory provision summary**

The regulator has reported, in its statement, measures that fall within the following excluded categories: civil emergencies, casework, education and communication, and policy development.

The RPC is content with the regulator's assessment of the measures against the exclusion categories in the present BIT framework and that they are, therefore, non-qualifying regulatory provisions.

**Regulatory Policy Committee**

## Annex A

### Non-qualifying Regulatory Provisions Summary

**Regulator:** Fish Health Inspectorate

**Business Impact Target Reporting Period Covered:** 21<sup>st</sup> June 2018 – 20<sup>th</sup> June 2019

Excluded Category*	Summary of measure(s), including any impact data where available**
Measures certified as being below <i>de minimis</i> (measures with an EANDCB below +/- £5 million)	Following consideration of the exclusion category there are no measures for the reporting period that qualify for the exclusion
EU Regulations, Decisions and Directives and other international obligations, including the implementation of the EU Withdrawal Bill and EU Withdrawal Agreement	Following consideration of the exclusion category there are no measures for the reporting period that qualify for the exclusion
Measures certified as concerning EU Withdrawal Bill operability measures	Following consideration of the exclusion category there are no measures for the reporting period that qualify for the exclusion
Pro-competition	Following consideration of the exclusion category there are no measures for the reporting period that qualify for the exclusion
Systemic Financial Risk	Following consideration of the exclusion category there are no measures for the reporting period that qualify for the exclusion
Civil Emergencies	The Fish Health Inspectorate applied statutory controls on 26 fisheries and 5 fish traders to control the listed (notifiable) condition koi herpesvirus (KHV) disease. Work is continuing on the characterisation of emerging diseases including a condition, cranial maxilla fibrosis which has been observed on a single trout farm in England. There were no changes to the health status of the shellfish sector during the reporting period.
Fines and Penalties	Following consideration of the exclusion category there are no measures for the reporting period that qualify for the exclusion
Misuse of Drugs	Following consideration of the exclusion category there are no measures for the reporting period that qualify for the exclusion
Measures certified as relating to the safety of tenants, residents and	Following consideration of the exclusion category there are no measures for the reporting period that qualify for the exclusion

Excluded Category*	Summary of measure(s), including any impact data where available**
occupants in response to the Grenfell tragedy	
Casework	<p>The Fish Health Inspectorate served 6 enforcement notices, issued 22 official warning letters, and undertook 26 enforcement visits during the reporting period. This casework relates to non-compliant businesses. There were no prosecutions of businesses for non-compliance with statutory responsibilities during the reporting period.</p> <p>The Fish Health Inspectorate is also involved in multi-agency investigations with other regulatory bodies including Border Force and the Environment Agency (EA). A prosecution case led by Border Force is under preparation as a result of an investigation into illegal trade in live aquatic animals.</p> <p>None of the activities listed in this section represent a change in the burden of regulation on business, and the potential offences investigated relate to existing longstanding regulatory requirements.</p>
Education, communications and promotion	<p>The FHI continued to engage with businesses through attendance at trade body events such as those held by the Ornamental Aquatic Trade Association (OATA), the British Trout Association (BTA), and the Coarse Fish Conference. The FHI also attends scientific conferences and meetings and provides the UK co-ordinator for aquatic animal diseases to the World organisation for Animal Health (OIE).</p> <p>Information on regulation is published on the Gov.UK website, the Marine Science blog, and for events such as disease outbreaks, on the FHI Facebook page. Businesses in proximity to disease outbreak events are contacted directly by letter or email to ensure that they are aware of the increased biosecurity risk in their area.</p> <p>Attendance by businesses at promotional or educational events is not compulsory, and none of the material produced creates a new regulatory standard that businesses would be expected to follow.</p>
Activity related to policy development	<p>The Fish Health Inspectorate provides advice to Defra on policy related issues in several areas including aquatic animal health, non-native species, trade in live aquatic animals, and aquaculture development. However, the FHI has no responsibilities in relation the development of government policy, review of policy or the undertaking of consultations.</p>
Changes to management of regulator	<p>Following consideration of the exclusion category there are no measures for the reporting period that qualify for the exclusion</p>

\* For detailed guidance on the exclusion categories, please see

<https://www.gov.uk/government/publications/better-regulation-framework>

\*\* Complete the summary box as 'Following consideration of the exclusion category there are no measures for the reporting period that qualify for the exclusion.' where this is appropriate.