
STATUTORY RULES OF NORTHERN IRELAND

2007 No. 207

**The Avian Influenza (H5N1 in Poultry)
Regulations (Northern Ireland) 2007**

Licences, notices, designations and declarations

- 3.—(1) A licence granted under these Regulations—
- (a) must be in writing;
 - (b) may be either a general licence or a specific licence;
 - (c) may, in addition to any conditions required by these Regulations, be made subject to such conditions as the Department considers necessary to control avian influenza; and
 - (d) may be amended, suspended or revoked, in writing, at any time.
- (2) The Department must not grant a movement licence under regulations 10, 11, 12 or 15 unless it has taken account of the relevant risk assessment.
- (3) In paragraph (2), “the relevant risk assessment” means the Department’s assessment of the risk that the particular movement or a movement of that type would spread avian influenza.
- (4) A notice served under these Regulations—
- (a) must be in writing;
 - (b) may be subject to conditions and may be amended, suspended or revoked, by a further notice, at any time;
 - (c) must specify whether it applies to all or to part of the premises to which it relates; and
 - (d) must, if it applies to part of a premises, specify to which part it applies.
- (5) The Department may, for the purposes of these Regulations designate any premises or part of any premises and such a designation—
- (a) must be in writing;
 - (b) must if it applies to only part of the premises, specify to which part it applies;
 - (c) may be made subject to such conditions as the Department considers necessary to control avian influenza; and
 - (d) may be amended, suspended or revoked in writing at any time.
- (6) A declaration of a zone—
- (a) must be in writing;
 - (b) must specify the date on which it shall come into operation;
 - (c) may be amended by a further declaration at any time;
 - (d) must designate the extent of the zone being declared;
 - (e) must list or refer to the measures which apply in such a zone and if they apply in only part of the zone, state in which part they apply; and
 - (f) may be withdrawn by a further declaration.

Status: Point in time view as at 19/03/2011.

Changes to legislation: There are currently no known outstanding effects for the The Avian Influenza (H5N1 in Poultry) Regulations (Northern Ireland) 2007, Section 3. (See end of Document for details)

(7) Unless the Department directs otherwise by notice served on the occupier of the premises, the following premises are deemed to be designated—

(a) premises designated or deemed to be designated under regulation 71 of the Avian Influenza Regulations;

[^{F1}(b) the following plants if approved under Article 24 of Regulation (EC) No. 1069/2009—

- (i) incineration plants;
- (ii) co-incineration plants;
- (iii) processing plants;
- (iv) biogas plants;
- (v) composting plants;
- (vi) petfood plants.]

(8) Premises in England, Scotland or Wales designated respectively by the English Ministers, Scottish Ministers or the National Assembly for the same purposes as they may be designated under these Regulations are deemed to be designated by the Department for the purposes of these Regulations.

(9) A specific licence shall apply to the applicant therefor.

(10) A person moving anything under the authority of a specific licence must—

- (a) keep the licence or a copy of it with him at all times during the movement so authorised;
- (b) on demand made by an inspector, produce the licence or copy and allow a copy or extract to be taken; and
- (c) on such demand, provide his name and address.

(11) A general licence shall apply to all persons or movements, or any class of persons or movements specified therein.

(12) A person moving anything under the authority of a general licence must—

- (a) keep with him, at all times during the movement so authorised, a consignment note that contains details of—
 - (i) what is moved including its quantity,
 - (ii) the date of the movement,
 - (iii) the name of the consignor,
 - (iv) the address of the premises from which the movement started,
 - (v) the name of the consignee, and
 - (vi) the address of the premises of destination;
- (b) on demand by an inspector produce the consignment note and allow a copy or extract to be taken; and
- (c) on such demand, provide his name and address.

(13) The Department must ensure that the extent of any zone declared under these Regulations, the nature of the restrictions and requirements applicable within it and the dates of its declaration and withdrawal are publicised in such manner as the Department considers necessary.

Textual Amendments

- F1** Reg. 3(7)(b) substituted (19.3.2011) by The Animal By-Products (Enforcement) Regulations (Northern Ireland) 2011 (S.R. 2011/124), reg. 1, Sch. 2 para. 39

Changes to legislation: There are currently no known outstanding effects for the The Avian Influenza (H5N1 in Poultry) Regulations (Northern Ireland) 2007, Section 3. (See end of Document for details)

Commencement Information

II Reg. 3 in operation at 24.3.2007, see [reg. 1](#)

Status:

Point in time view as at 19/03/2011.

Changes to legislation:

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