
SCOTTISH STATUTORY INSTRUMENTS

2005 No. 531

**The Avian Influenza (Preventive Measures
in Zoos) (Scotland) Regulations 2005**

Interpretation

2. In these Regulations—

“the Act” means the Animal Health Act 1981(1);

“avian influenza” means an infection of poultry or other captive birds caused by any influenza A virus of the subtypes H5 or H7 or with an intravenous pathogenicity index in six week old chickens greater than 1.2;

“avian influenza prevention (zoos) zone” means a zone so declared under regulation 4(2)(a);

“the Commission Decision” means Commission Decision [2005/744/EC](#) laying down the requirements for the prevention of highly pathogenic avian influenza virus caused by influenza A virus of subtype H5N1 in susceptible birds kept in zoos in the Member States(2);

“inspector” means an inspector appointed under the Act;

“local authority” means a council constituted under section 2 of the Local Government etc. (Scotland) Act 1994(3);

“other captive bird” means any bird kept in captivity other than poultry, including birds kept for shows, races, exhibitions and competitions (such as ornamental birds and racing pigeons);

“poultry” means all birds that are reared or kept in captivity for the production of meat or eggs for consumption, the production of other commercial products, for restocking supplies of game or for the purpose of any breeding programme for the production of these categories of birds;

“restrictions notice” means a notice issued under regulation 4(2)(b);

“susceptible bird” means any species of bird that is likely to be susceptible to avian influenza and which is not intended for the production of animal products;

“veterinary inspector” means a veterinary inspector appointed by the Scottish Ministers under the Act;

“zoo” means—

- (a) a permanent establishment where animals of wild species are kept for exhibition to the public for seven or more days a year, with the exception of circuses and pet shops; and
- (b) an approved body, institute or centre, as defined in point (c) of Article 2(1) of Council Directive [92/65/EEC](#) laying down animal health requirements governing trade in and imports into the Community of animals, semen, ova and embryos not subject to animal health requirements laid down in specific Community rules referred to in Annex A(1) to Directive 90/425(4).

(1) [1981 c. 22](#).

(2) O.J. No L 279, 22.10.2005, p.75.

(3) [1994 c. 39](#).

(4) OJ No L 268, 14.9.1992, p.54 as last amended by Council Regulation ([EC](#)) No [1398/2003](#) (OJ No L 198 6.8.2003, p.3.).

Changes to legislation: *There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Avian Influenza (Preventive Measures in Zoos) (Scotland) Regulations 2005. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

Commencement Information

II Reg. 2 in force at 28.10.2005 at midnight, see [reg. 1\(1\)](#)

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Changes and effects yet to be applied to :

- reg. 2 words substituted by [S.S.I. 2018/391 reg. 24\(2\)](#)