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SCOTTISH STATUTORY INSTRUMENTS

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**2005 No. 531**

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

**Powers of inspectors in case of default**

9.—(1) If a person fails to comply with a requirement of these Regulations or a requirement or restriction of a declaration made, notice issued or licence granted under them, a veterinary inspector or an inspector may take any steps that the veterinary inspector or inspector considers necessary to ensure the requirement is met, including—

- (a) seizing, detaining or disposing of any bird moved, kept or otherwise dealt with in breach of these Regulations and of any such declaration, notice or licence; and
- (b) directing any person to take or refrain from specified action in respect of any place, bird, animal, vehicle, product or other thing.

(2) Any steps taken are without prejudice to proceedings for an offence arising out of the default.

(3) The person in default shall reimburse any reasonable expenses incurred by the Scottish Ministers or a local authority in taking such steps and any such reimbursement is recoverable summarily.

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**Commencement Information**

**II** Reg. 9 in force at 28.10.2005 at midnight, see [reg. 1\(1\)](#)

**Changes to legislation:**

There are currently no known outstanding effects for the The Avian Influenza (Preventive Measures in Zoos) (Scotland) Regulations 2005, Section 9.