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SCOTTISH STATUTORY INSTRUMENTS

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**2006 No. 336**

**The Avian Influenza and Influenza of Avian  
Origin in Mammals (Scotland) Order 2006**

**PART 4**

**Measures on confirmation of highly pathogenic avian  
influenza at premises other than regulated places**

**Size of zones**

- 27.—**(1) A protection zone declared under—
- (a) paragraph (1) of article 26 must be centred on the infected premises or part of those premises and have a radius of at least 3 kilometres;
  - (b) paragraph (2) of article 26 must cover any area in Scotland which is within a radius of 3 kilometres of the infected premises or any part of those premises.
- (2) A surveillance zone declared under—
- (a) paragraph (1) of article 26 must be centred on the infected premises or part of those premises and have a radius of at least 10 kilometres;
  - (b) paragraphs(2) or (3) of article 26 must cover any area in Scotland which is within a radius of 10 kilometres of the infected premises or any part of those premises.
- (3) A restricted zone declared under article 26(5) may be centred on the infected premises or part of those premises or adjacent to the surveillance zone and shall be of such size as the Scottish Ministers consider necessary.
- (4) The Scottish Ministers must take account of the criteria set out in paragraph (5) when deciding—
- (a) the size of zones to declare under paragraphs (1), (2) and (3) of article 26; and
  - (b) whether to declare restricted zones under paragraph (5) of article 26.
- (5) The criteria referred to in paragraph (4) are—
- (a) the results of veterinary inquiries;
  - (b) the geographical features of the area around the infected premises;
  - (c) the location and proximity of other premises containing poultry and other captive birds in the area, and the estimated number of poultry;
  - (d) patterns of movement of and trade in poultry and other captive birds in the area;
  - (e) the facilities and personnel available to control movements within the zone (including any movement of poultry or other captive birds off premises for slaughter and disposal).
- (6) Protection zones and surveillance zones declared under paragraph (4) of article 26 must be of such size as the Scottish Ministers consider necessary to reduce the risk of the spread of the disease.

**Changes to legislation:**

There are currently no known outstanding effects for the The Avian Influenza and Influenza of Avian Origin in Mammals (Scotland) Order 2006, Section 27.