

SCOTTISH STATUTORY INSTRUMENTS

**2006 No. 337**

**The Avian Influenza (Slaughter and Vaccination) (Scotland) Regulations 2006**

**Powers of Slaughter**

**Measures on special category premises – low pathogenic avian influenza**

8.—(1) Where low pathogenic avian influenza is confirmed on special category premises, the Scottish Ministers may decide not to cause poultry or other captive birds on those premises to be killed under paragraph 5(1) of Schedule 3 to the Act where they consider that this does not materially reduce the effectiveness of measures to prevent the spread of avian influenza.

(2) Where a decision is taken under paragraph (1) not to cause poultry or other captive birds on special category premises to be killed under paragraph 5(1) of Schedule 3 to the Act, those birds should not be moved unless the Chief Veterinary Officer (Scotland) is satisfied, following tests, that the proposed movement would not significantly increase the risk of the spread of low pathogenic avian influenza.

(3) Where a decision is taken under paragraph (1) not to cause poultry or other captive birds on special category premises to be killed under paragraph 5(1) of Schedule 3 to the Act, the occupier of special category premises must ensure that—

- (a) poultry and other captive birds are housed or (if, in the view of a veterinary inspector, housing is impractical or would adversely affect the birds' welfare to a significant degree) isolated, on the premises;
- (b) records are kept of all poultry and other captive birds which become sick or die on the premises;
- (c) no poultry or other captive bird is moved from the premises except—
  - (i) to a slaughterhouse or other premises in accordance with a licence granted by a veterinary inspector; or
  - (ii) to a slaughterhouse or other premises in [F1a] member State, if the movement is licensed by a veterinary inspector and is authorised by that member State.

(4) The occupier of the premises must take all reasonable steps to minimise contact between birds isolated under paragraph (3)(a) and—

- (a) poultry and other captive birds on other premises; and
- (b) will birds.

**Textual Amendments**

- F1** Word in reg. 8(3)(c)(ii) substituted (31.12.2020) by [The Animal Health \(EU Exit\) \(Scotland\) \(Amendment\) Regulations 2019 \(S.S.I. 2019/71\)](#), regs. 1(1)(b), 17(4); 2020 c. 1, Sch. 5 para. 1(1)

**Changes to legislation:**

There are currently no known outstanding effects for the The Avian Influenza (Slaughter and Vaccination) (Scotland) Regulations 2006, Section 8.