

SCOTTISH STATUTORY INSTRUMENTS

**2007 No. 62**

**The Avian Influenza (H5N1 in Poultry) (Scotland) Order 2007**

**Establishment of zones on suspicion of avian influenza of subtype H5N1 in poultry**

6.—(1) This article applies if the Chief Veterinary Officer (Scotland) advises the Scottish Ministers that the Chief Veterinary Officer (Scotland) suspects that—

- (a) highly pathogenic avian influenza virus of the H5 subtype is present in poultry, or in a poultry carcass, in Great Britain; <sup>F1</sup>...
- (b) the neuraminidase virus type is N1 [<sup>F2</sup>, and
- (c) the virus is a significant risk to animal and human health.]

(2) The Scottish Ministers must declare two zones under article 13 of the Avian Influenza Order if the poultry or carcass in which highly pathogenic avian influenza of subtype H5N1 is suspected was found—

- (a) in Scotland; or
- (b) in England, less than 10 kilometres from the border with Scotland.

(3) The zones referred to in paragraph (2) may be—

- (a) a temporary movement restriction zone and a temporary control zone;
- (b) two temporary movement restriction zones; or
- (c) two temporary control zones.

(4) In a declaration made in accordance with paragraph (2), the Scottish Ministers must specify which of the two zones declared is the first zone (“first zone”) and which the second zone (“second zone”).

(5) Premises which are partly in a first zone declared in accordance with paragraph (2) and partly in a second zone so declared are deemed to be wholly in the first zone.

**Textual Amendments**

- F1** Word in art. 6(1)(a) omitted (4.12.2021) by virtue of [The Avian Influenza \(H5N1 in Birds etc.\) \(Miscellaneous Amendment and Revocation\) \(Scotland\) Order 2021 \(S.S.I. 2021/444\)](#), **art. 5(2)(a)**, reg. 1(1)
- F2** Art. 6(1)(c) and word inserted (4.12.2021) by [The Avian Influenza \(H5N1 in Birds etc.\) \(Miscellaneous Amendment and Revocation\) \(Scotland\) Order 2021 \(S.S.I. 2021/444\)](#), **art. 5(2)(b)**, reg. 1(1)

**Changes to legislation:**

There are currently no known outstanding effects for the The Avian Influenza (H5N1 in Poultry) (Scotland) Order 2007, Section 6.