
SCOTTISH STATUTORY INSTRUMENTS

2007 No. 62

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

Restrictions on the movement of poultry and other captive birds

9.—(1) No person shall move any poultry or other captive bird from a restricted zone to an unrestricted area, [F¹a] member State or third country unless that person is licensed by a veterinary inspector or an inspector acting under the direction of a veterinary inspector.

(2) Paragraph (1) does not apply to the movement of—

- (a) a bird, other than poultry, reared or kept in captivity as a pet; or
- (b) any other captive bird to an approved body.

(3) A veterinary inspector or an inspector acting under the direction of a veterinary inspector may license the movement of—

- (a) poultry directly to a designated slaughterhouse;
- (b) poultry directly to any premises in an unrestricted area, if the veterinary inspector or inspector acting under the direction of a veterinary inspector is satisfied that they will be kept there for 21 days from their date of arrival;
- (c) poultry to [F²a] member State or to a third country, if the movement is authorised by the competent authority of that member State or third country;
- (d) day-old chicks to any premises in an unrestricted area;
- (e) other captive birds to any premises in an unrestricted area.

(4) The Scottish Ministers must ensure that veterinary surveillance is carried out at any premises to which day-old chicks are moved under paragraph (3)(d) for such period as they consider necessary.

(5) Paragraph (4) does not apply if the day-old chicks so moved were hatched—

- (a) from eggs from a designated hatchery in a restricted zone where the Scottish Ministers are satisfied that poultry have tested negative in a serological survey for avian influenza capable of detecting 5% prevalence of disease with at least a 95% level of confidence; or
- (b) from eggs—
 - (i) from premises which, on the date the eggs were collected, were in an unrestricted area; and
 - (ii) which were transported from those premises in new disposable packaging or in disinfected packaging.

(6) The occupier of premises to which poultry are moved under paragraph (3)(b) must ensure that no poultry are moved off the premises for at least 21 days from the date the poultry so moved arrived there.

(7) In this article—

- (a) “day-old chicks” means—
 - (i) poultry less than 72 hours old which have not yet fed; or
 - (ii) muscovy ducks (*Cairina moschata*) and their crosses which are less than 72 hours old, whether or not fed; and

- (b) “slaughterhouse” means premises used for slaughtering poultry, the meat of which is intended for human consumption.

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Textual Amendments

- F1** Word in art. 9(1) substituted (31.12.2020) by [The Animal Health \(EU Exit\) \(Scotland\) \(Amendment\) Regulations 2019 \(S.S.I. 2019/71\)](#), regs. 1(1)(b), **19(3)(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F2** Word in art. 9(3)(c) substituted (31.12.2020) by [The Animal Health \(EU Exit\) \(Scotland\) \(Amendment\) Regulations 2019 \(S.S.I. 2019/71\)](#), regs. 1(1)(b), **19(3)(b)**; 2020 c. 1, Sch. 5 para. 1(1)

Changes to legislation:

There are currently no known outstanding effects for the The Avian Influenza (H5N1 in Poultry) (Scotland) Order 2007, Section 9.