

POLICY NOTE

THE AVIAN INFLUENZA (PREVENTIVE MEASURES) (SCOTLAND) AMENDMENT ORDER 2024

SSI 2024/87

The above instrument is made in exercise of the powers conferred by Section 1 of the Animal Health Act 1981. The instrument is laid – no procedure.

Summary Box

<p>The main purpose is to lower the statutory threshold for notification to the Scottish Ministers of premises keeping birds from 50 or more poultry to one bird, and to require bird keepers to provide an annual update of the information notified.</p>
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Policy Objectives

The GB Poultry Register is an important tool for government (the Scottish Government, Defra (UK Government) and the Welsh Government) in eradicating notifiable avian disease, such as highly pathogenic avian influenza and Newcastle disease. Due to a change in the epidemiology of the current strain of avian influenza in recent years, and the spill-over of infection into a broad range of mammalian hosts internationally, it is vital that the register is extended to include all captive birds in GB (with exceptions). This will ensure that all keepers can be provided with bird and human health protection information and the register will provide government with accurate information on the location of all bird premises, thereby increasing the effectiveness of activities carried out, such as risk assessments and tracing investigations.

EU Alignment Consideration

This instrument is not relevant to the Scottish Government's policy to maintain alignment with the EU.

Consultation

A joint GB-wide consultation took place, facilitated by Defra on behalf of the Scottish Government, Welsh Government and Defra (UK Government). The consultation was launched on 7 March 2023 and ran for 12 weeks, closing on 31 May 2023. The proposed changes in the consultation took forward lessons identified from previous highly pathogenic avian influenza outbreaks, as well as the recommendation by Dame Glenys Stacey's Farm Inspection and Regulation review, which was conducted for England.

There were over 3,300 responses (over 550 responses from Scottish-based responders), which were analysed by an external company, Deloitte. Across the responses to the consultation, the majority of respondents strongly opposed the reduction of the current mandatory reporting threshold of 50 or more poultry at any single premises, either to 10 or one bird(s), and instead supported Option 1 – the 'do nothing' option.

However, the Scottish Government's response to this consultation is that legislative amendments are to be made to introduce Option 2 (Option 2 – to change the mandatory reporting threshold to 1 bird), and to extend this requirement to all birds, except those *psittacines* (parrots, cockatoos and budgerigars) and *passerines* (small 'perching' birds, such as sparrows, tits, wrens and jays) that are fully housed either within a dwelling, or within a bird house on the same premises with no access to the outdoors.

The Scottish Government's response also states that legislative amendments would include the requirement for an annual update of keeper information to be provided.

Impact Assessments

A full BRIA has been conducted.

Financial Effects

Reducing the threshold of registration will require both a small legislative amendment and a Business Regulatory Impact Assessment. However, we do not expect the impact to be significant on keepers, as the move to a Scottish online register should simplify the registration process for keepers of less than 50 birds in Scotland, with registration time expected to take only several minutes, and future annual updates made even quicker than the initial registration.

Scottish Government
Agriculture and Rural Economy Directorate

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