
STATUTORY INSTRUMENTS

2006 No. 2702

**The Avian Influenza and Influenza of Avian
Origin in Mammals (England) (No.2) Order 2006**

PART 4

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

Restrictions at contact premises

27.—(1) Subject to paragraph (2), the measures in Schedule 1 apply to contact premises until a veterinary inspector notifies the occupier that those measures are withdrawn or that the premises are infected premises.

(2) A veterinary inspector may, by notice to the occupier of contact premises or by licence, grant the same derogations in respect of contact premises as he can in respect of suspect premises under article 11.

(3) A veterinary inspector may, by notice to the occupier of contact premises, also require the occupier to comply with one or more of the measures in Schedule 2.

(4) When considering whether to require an occupier to comply with any of the measures in Schedule 2, a veterinary inspector must take the following criteria into account—

- (a) the existence of any clinical signs of avian influenza in any [^{F1}poultry or other captive birds] on the contact premises;
- (b) the susceptibility to avian influenza of the species of poultry [^{F2}or other captive birds] on the contact premises;
- (c) any movements of poultry or other captive birds from infected premises to the contact premises after the earliest date a veterinary inspector considers avian influenza may have been introduced to the infected premises;
- (d) the density of poultry in the area where the contact premises are located;
- (e) the time passed since avian influenza was first confirmed and how far avian influenza has spread from infected premises;
- (f) the proximity of the contact premises to infected premises;
- (g) epidemiological links between the contact premises and infected premises;
- (h) the extent to which measures to control avian influenza are working.

(5) When considering the proximity of the contact premises to infected premises under paragraph 4(f), a veterinary inspector must give particular consideration to whether he should impose measures on premises which are—

- (a) within 500 metres of infected premises; or
- (b) 500 metres or more from infected premises but are in an area with a high density of poultry.

(6) When considering epidemiological links between the contact premises and infected premises in accordance with paragraph (4)(g), a veterinary inspector must give particular consideration to whether he should impose measures on premises with links to more than one infected premises.

(7) If the Secretary of State requires poultry or other captive birds on a contact premises to be killed, he must ensure that samples are taken from the dead birds and tested for avian influenza.

Textual Amendments

- F1** Words in art. 27(4)(a) substituted (20.12.2023) by [The Exotic Disease \(Amendment\) \(England\) Order 2023 \(S.I. 2023/1415\)](#), arts. 1(1), **4(19)(a)(i)**
- F2** Words in art. 27(4)(b) inserted (20.12.2023) by [The Exotic Disease \(Amendment\) \(England\) Order 2023 \(S.I. 2023/1415\)](#), arts. 1(1), **4(19)(a)(ii)**

Changes to legislation:

There are currently no known outstanding effects for the The Avian Influenza and Influenza of Avian Origin in Mammals (England) (No.2) Order 2006, Section 27.