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STATUTORY INSTRUMENTS

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**2006 No. 2702**

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

**PART 1**

Introduction

**Declarations, licences, notices and designations under this Order**

- 4.—(1) Declarations of controlled zones under this Order—
- (a) must be in writing;
  - (b) may be amended by further declaration at any time;
  - (c) must designate the extent of the controlled zone being declared;
  - (d) must list or refer to the measures which apply in such a zone and, if they apply in only part of the zone, state in which part they apply; and
  - (e) must be revoked by further declaration.
- (2) Licences under this Order—
- (a) must be in writing;
  - (b) may be general or specific;
  - (c) may, in addition to any conditions required by this Order, be made subject to such conditions as the person granting the licence considers necessary to control avian influenza [<sup>F1</sup>or influenza of avian origin]; and
  - (d) may be amended, suspended or revoked, in writing, at any time.
- (3) Notices under this Order—
- (a) may be amended or revoked, by further notice, at any time;
  - (b) must specify whether they apply to all or to part of the premises to which they relate; and
  - (c) must, if they apply to part of premises, specify to which part they apply.
- (4) Designations of premises under this Order—
- (a) must be in writing;
  - (b) must, if they apply to only part of the premises, specify to which part they apply.
  - (c) may be made subject to such conditions as the Secretary of State considers necessary to control avian influenza; and
  - (d) may be amended, suspended or revoked in writing at any time.
- (5) The Secretary of State must ensure that the extent of any zone declared under this Order, the nature of the restrictions and requirements applicable within it and the dates of its declaration and termination are publicised.

(6) Licences granted in Scotland or Wales for activities which could be licensed in England under this Order have effect in England as if they were licences granted under this Order but an inspector acting under the direction of the Secretary of State may serve a notice on any person moving any thing under the authority of such a licence, directing him to move it or to keep it on premises specified in the notice or move it out of England.

(7) Premises in Scotland, Wales and Northern Ireland designated respectively by the Scottish Ministers, [<sup>F2</sup>the National Assembly for Wales or by the Department of Agriculture, Environment and Rural Affairs, Northern Ireland] for the same purposes as they may be designated under this Order are deemed to be designated by the Secretary of State for the purposes of this Order.

(8) A person moving anything under the authority of a specific licence granted under this Order must—

- (a) keep the licence or a copy of it with him at all times during the licensed movement;
- (b) on demand by a veterinary inspector or other officer of the Secretary of State or by an inspector, produce the licence or copy and allow a copy or extract to be taken; and
- (c) on such demand, provide his name and address.

(9) A person moving anything under the authority of a general licence granted under this Order must—

- (a) keep with him, at all times during the licensed movement, a consignment note that contains details of—
  - (i) what is moved, including its quantity;
  - (ii) the date of the movement;
  - (iii) the name of the consignor;
  - (iv) the address of the premises from which the movement started;
  - (v) the name of the consignee;
  - (vi) the address of the premises of destination;
- (b) on demand by a veterinary inspector or other officer of the Secretary of State or by an inspector, produce the consignment note and allow a copy or extract to be taken; and
- (c) on such demand, provide his name and address.

(10) Unless the Secretary of State states otherwise, in a declaration of a controlled zone or by notice to the occupier of any premises or to the owner or occupier of any vehicle, any movement which has already started when such a declaration comes into force may be completed.

#### Textual Amendments

- F1** Words in art. 4(2)(c) inserted (20.12.2023) by [The Exotic Disease \(Amendment\) \(England\) Order 2023 \(S.I. 2023/1415\)](#), arts. 1(1), **4(4)(a)**
- F2** Words in art. 4(7) substituted (1.6.2018) by [The Environment, Food and Rural Affairs \(Miscellaneous Amendments\) \(England\) Regulations 2018 \(S.I. 2018/575\)](#), regs. 1(2), **34(4)**

**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 4.