

## WELSH STATUTORY INSTRUMENTS

# 2003 No. 1079

## The Diseases of Poultry (Wales) Order 2003

### Declaration of infected area

9.—(1) Upon the presence in any area in Wales or elsewhere of a designated disease in poultry being confirmed by the Chief Veterinary Officer or by a person authorised by him or her, the National Assembly for Wales or the Secretary of State shall, <sup>F1</sup>... declare such of that area as is in Wales to be an infected area.

(2) Upon the presence in any area in Wales or elsewhere of a designated disease in captive birds other than poultry or in racing pigeons being confirmed by the Chief Veterinary Officer or by a person authorised by him or her and upon the National Assembly for Wales or the Secretary of State being satisfied that the presence of that disease in such birds constitutes a serious risk to poultry, the National Assembly for Wales or the Secretary of State may, <sup>F2</sup>... declare such of that area as is in Wales to be an infected area.

(3) An area shall remain an infected area until such date as may be stated in the [<sup>F3</sup>declaration], or, if none, until the [<sup>F3</sup>declaration] is withdrawn.

(4) Any premises which are partly inside and partly outside an infected area shall be deemed to be wholly inside that area.

(5) A [<sup>F4</sup>declaration] may apply to all birds or to designated species.

(6) A [<sup>F5</sup>declaration] shall provide for the division of the infected area into protection and surveillance zones, the protection zone being based on a minimum radius of three kilometres, itself contained in a surveillance zone based on a minimum radius of ten kilometres, based on the centre of premises where disease has been confirmed, or such lesser radii as the National Assembly for Wales or the Secretary of State may declare.

(7) The provisions of Schedule 2 shall apply in an area declared an infected area except to the extent that they are varied or excepted by the [<sup>F6</sup>declaration] or to the extent that anything which would otherwise be a breach of this Order is authorised by a licence issued by a veterinary inspector.

### Textual Amendments

- F1** Words in art. 9(1) omitted (21.4.2021) by virtue of [The Animal Diseases \(Miscellaneous Amendments\) \(Wales\) Order 2021 \(S.I. 2021/480\)](#), arts. 1(2), **4(4)(a)**
- F2** Words in art. 9(2) omitted (21.4.2021) by virtue of [The Animal Diseases \(Miscellaneous Amendments\) \(Wales\) Order 2021 \(S.I. 2021/480\)](#), arts. 1(2), **4(4)(a)**
- F3** Word in art. 9(3) substituted (21.4.2021) by [The Animal Diseases \(Miscellaneous Amendments\) \(Wales\) Order 2021 \(S.I. 2021/480\)](#), arts. 1(2), **4(4)(b)**
- F4** Word in art. 9(5) substituted (21.4.2021) by [The Animal Diseases \(Miscellaneous Amendments\) \(Wales\) Order 2021 \(S.I. 2021/480\)](#), arts. 1(2), **4(4)(b)**
- F5** Word in art. 9(6) substituted (21.4.2021) by [The Animal Diseases \(Miscellaneous Amendments\) \(Wales\) Order 2021 \(S.I. 2021/480\)](#), arts. 1(2), **4(4)(b)**
- F6** Words in art. 9(7) substituted (21.4.2021) by [The Animal Diseases \(Miscellaneous Amendments\) \(Wales\) Order 2021 \(S.I. 2021/480\)](#), arts. 1(2), **4(4)(c)**

**Changes to legislation:**

There are currently no known outstanding effects for the The Diseases of Poultry (Wales) Order 2003, Section 9.