
WELSH STATUTORY INSTRUMENTS

2005 No. 3384

The Avian Influenza (Preventive Measures) (Wales) (No. 2) Regulations 2005

Interpretation

2. In these Regulations —

“the Act” means the Animal Health Act 1981⁽¹⁾;

“the 2005 avian influenza survey” means the survey for avian influenza being carried out by the National Assembly in accordance with Commission Decision [2005/464/EC](#) on the implementation of survey programmes for avian influenza in poultry and wild birds to be carried out in the Member States ⁽²⁾ and with the national plan approved by Commission Decision [2005/732/EC](#) approving the programmes for the implementation of Member States' surveys for avian influenza in poultry and wild birds during 2005 and laying down reporting and eligibility rules for the Community financial contribution to the implementation costs of those programmes ⁽³⁾;

“avian influenza” means an infection of poultry or other captive birds caused by any influenza A virus of the subtypes H5 or H7 or with an intravenous pathogenicity index in six week old chickens greater than 1.2;

“commercial poultry premises” means premises where poultry are kept for commercial purposes and does not include premises where all poultry and their eggs are kept by their owners for their own consumption or, in case of poultry, as pets;

“the Commission Decision” means Commission Decision [2005/734/EC](#) laying down biosecurity measures to reduce the risk of transmission of highly pathogenic avian influenza caused by influenza A virus of subtype H5N1 from birds living in the wild to poultry and other captive birds and providing for an early detection system in areas at particular risk ⁽⁴⁾, as amended by Commission Decision [2005/745/EC](#)⁽⁵⁾ and Commission Decision [2005/855/EC](#)⁽⁶⁾;

“inspector” means an inspector appointed by a local authority for the purposes of these Regulations or under the Act;

“local authority” means in relation to an area the county council or county borough council for that area;

“the National Assembly” means the National Assembly for Wales of Cathays Park, Cardiff CF10 3NQ;

“other captive bird” means any bird other than poultry kept in captivity, including any bird kept for shows, races, exhibitions and competitions (such as ornamental birds and racing pigeons);

(1) 1981, c. 22.

(2) OJ No L 164, 24.6.2005, p.52, as amended by Commission Decision [2005/726/EC](#) (OJ No L 273, 19.10.2005, p.21).

(3) OJ No L 274, 20.10.2005, p.95.

(4) OJ No L 274, 20.10.2005, p.105, as amended by Commission Decision [2005/745/EC](#) (OJ No L 279, 22.10.2005, p.79).

(5) OJ No L 279, 22.10.2005, p.79.

(6) OJ No L 316, 2.12.2005, p.21.

Changes to legislation: *The Avian Influenza (Preventive Measures) (Wales) (No. 2) Regulations 2005, Section 2 is up to date with all changes known to be in force on or before 28 August 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

“poultry” means all birds that are reared or kept in captivity for the production of meat or eggs for consumption, the production of other commercial products, for restocking supplies of game or for the purposes of any breeding programme for the production of these categories of birds;

“veterinary inspector” means an inspector appointed by the National Assembly under or for the purposes of these Regulations or under the Act.

Commencement Information

II Reg. 2 in force at 9.12.2005, see [reg. 1](#)

Changes to legislation:

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Changes and effects yet to be applied to :

- [Instrument rev by S.I. 2006/2803 reg 23](#)