
WELSH STATUTORY INSTRUMENTS

2005 No. 3385

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

Interpretation

2. In these Regulations —

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

“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;

“the Commission Decision” means Commission Decision [2005/744/EC](#) laying down the requirements for the prevention of highly pathogenic avian influenza virus caused by influenza A virus of subtype H5N1 in susceptible birds kept in zoos in the Member States⁽²⁾;

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

“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;

“susceptible bird” means any species of bird that is likely to be susceptible to avian influenza and which is not intended for the production of animal products;

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

“zoo” means —

- (i) a permanent establishment where animals of wild species are kept for exhibition to the public for seven or more days a year, with the exception of circuses and pet shops; and
- (ii) an "approved body, institute or centre", as defined in point (c) of Article 2(1) of Council Directive [92/65/EC](#) laying down animal health requirements governing trade in and imports into the Community of animals, semen, ova and embryos not subject to animal health requirements laid down in specific Community rules referred to in Annex A(I) to Directive [90/425/EEC](#)⁽³⁾.

⁽¹⁾ 1981, c. 22.

⁽²⁾ OJ No L279, 22.10.2005, p.75.

⁽³⁾ OJ No L268, 14.9.1992, p.54, as last amended by Council Regulation (EC) No 1398/2003 (OJ No L198, 6.8.2003, p.3.).

Changes to legislation: *The Avian Influenza (Preventive Measures in Zoos) (Wales) (No. 2) Regulations 2005, Section 2 is up to date with all changes known to be in force on or before 04 July 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*

Commencement Information

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

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[View outstanding changes](#)

Changes and effects yet to be applied to :

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