
WELSH STATUTORY INSTRUMENTS

2006 No. 2932

**The Avian Influenza (Vaccination)
(Wales) (No.2) Regulations 2006**

Interpretation

2.—(1) In these Regulations—

“the Act” (“*y Ddeddf*”) means the Animal Health Act 1981^{M1};

“avian influenza” (“*ffliw adar*”) 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 Directive” (“*y Gyfarwydddeb*”) means Council Directive [2005/94/EC](#) on Community measures for the control of avian influenza and repealing Directive [92/40/EEC](#)^{M2};

“emergency vaccination notice” (“*hysbysiad brechu brys*”) has the meaning given by regulation 6(1)(b);

[^{F1}“emergency vaccination plan” (“*cynllun brechu brys*”) means an emergency vaccination plan published in accordance with Article 53 of the Directive as read with the modifications set out in paragraph (3)];

“emergency vaccination zone” (“*parth brechu brys*”) has the meaning given by regulation 6(1)(a);

“inspector” (“*arolygydd*”) means an inspector appointed by the National Assembly or a local authority for the purposes of these Regulations or under the Act, and, unless the context otherwise requires, includes a veterinary inspector;

“local authority” (“*awdurdod lleol*”) means in relation to an area the county council or county borough council for that area;

“National Assembly” (“*Cynulliad Cenedlaethol*”) means the National Assembly for Wales, Cathays Park, Cardiff CF10 3NQ;

“occupier” (“*meddiannydd*”) means, in relation to any premises, the person in charge of those premises;

“other captive bird” (“*aderyn caeth arall*”) means a bird kept in captivity that is not poultry and includes a pet bird and a bird kept for shows, races, exhibitions, competitions, breeding or for sale;

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

“premises” (“*mangre*”) includes any land, building or place;

“preventive vaccination notice” (“*hysbysiad brechu ataliol*”) has the meaning given by regulation 7(1)(b)(ii);

[^{F2}“preventive vaccination plan” (“*cynllun brechu ataliol*”) means a preventive vaccination plan published in accordance with Article 56 of the Directive as read with the modifications set out in paragraph (4)];

“preventive vaccination zone” (“*parth brechu ataliol*”) has the meaning given by regulation 7(1)(b)(i);

“slaughterhouse” (“*lladd-dy*”) means an establishment used for slaughtering poultry, the meat of which is intended for human consumption;

“vaccination licence” (“*trwydded brechu*”) has the meaning given by regulation 7(1)(a);

“vaccination notice” (“*hysbysiad brechu*”) means either an emergency vaccination notice or a preventive vaccination notice;

“vaccination plan” (“*cynllun brechu*”) means either an emergency vaccination plan or a preventive vaccination plan;

“vaccination zone” (“*parth brechu*”) means either an emergency vaccination zone or a preventive vaccination zone;

“veterinary inspector” (“*arolygydd milfeddygol*”) means a person appointed as such by the National Assembly for the purposes of these Regulations or under the Act.

(2) Other expressions used in these Regulations that are defined in the Directive have the same meaning as they have in the Directive.

[^{F3}(3) For the purposes of the definition of “emergency vaccination plan” in paragraph (1), Article 53 of the Directive is to be read as if it were modified as follows—

(a) in paragraph 1—

(i) for “A Member State” substitute “The Welsh Ministers”;

(ii) for the words from “the Member State concerned” to the end substitute “Wales”;

(b) in paragraph 2—

(i) for “a Member State intends” substitute “the Welsh Ministers intend”;

(ii) for “it shall submit an emergency vaccination plan to the Commission for its approval” substitute “the Welsh Ministers must publish an emergency vaccination plan”;

(iii) in sub-paragraph (g), for “the measures provided for in Sections 3, 4 and 5 of Chapter IV and Section 3 of Chapter V” substitute

“any provision of—

(i) the Avian Influenza (Preventive Measures) (Wales) Regulations 2006 ([S.I. 2006/2803](#));

(ii) the Avian Influenza and Influenza of Avian Origin in Mammals (Wales) (No. 2) Order 2006 ([S.I. 2006/2927](#));

(iii) the Avian Influenza (Vaccination) (Wales) (No. 2) Regulations 2006 ([S.I. 2006/2932](#));”

(c) omit paragraph 3.

(4) For the purposes of the definition of “preventive vaccination plan” in paragraph (1), Article 56 of the Directive is to be read as if it were modified as follows—

(a) in paragraph 1—

(i) for “Member States” substitute “The Welsh Ministers”;

(ii) for “their territory” substitute “Wales”;

(b) in paragraph 2—

- (i) for “a Member State intends” substitute “the Welsh Ministers intend”;
 - (ii) for “it shall submit a preventive vaccination plan to the Commission for its approval” substitute “the Welsh Ministers must publish a preventive vaccination plan”;
 - (iii) in sub-paragraph (g), for “the measures provided for in Sections 3, 4 and 5 of Chapter IV and Section 3 of Chapter V” substitute
“any provision of—
 - (i) the Avian Influenza (Preventive Measures) (Wales) Regulations 2006 (S.I. 2006/2803);
 - (ii) the Avian Influenza and Influenza of Avian Origin in Mammals (Wales) (No. 2) Order 2006 (S.I. 2006/2927);
 - (iii) the Avian Influenza (Vaccination) (Wales) (No. 2) Regulations 2006 (S.I. 2006/2932);”
- (c) omit paragraph 3.]

Textual Amendments

- F1** Words in [reg. 2\(1\)](#) substituted (31.12.2020) by [The Exotic Diseases in Animals \(Miscellaneous Amendments\) \(Wales\) \(EU Exit\) Regulations 2019 \(S.I. 2019/371\)](#), regs. 1(2), **6(2)(a)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F2** Words in [reg. 2\(1\)](#) substituted (31.12.2020) by [The Exotic Diseases in Animals \(Miscellaneous Amendments\) \(Wales\) \(EU Exit\) Regulations 2019 \(S.I. 2019/371\)](#), regs. 1(2), **6(2)(a)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F3** [Reg. 2\(3\)\(4\)](#) inserted (31.12.2020) by [The Exotic Diseases in Animals \(Miscellaneous Amendments\) \(Wales\) \(EU Exit\) Regulations 2019 \(S.I. 2019/371\)](#), regs. 1(2), **6(2)(b)**; 2020 c. 1, Sch. 5 para. 1(1)

Marginal Citations

- M1** [1981 c. 22](#), amended by [S.I. 1992/3293](#) and the Animal Health Act 2002, c. 42. Other amendments are not relevant to these Regulations.
- M2** OJ No. L 10, 14.1.2006, p. 16.

Changes to legislation:

There are currently no known outstanding effects for the The Avian Influenza (Vaccination) (Wales) (No.2) Regulations 2006, Section 2.