
SCOTTISH STATUTORY INSTRUMENTS

2006 No. 337

**The Avian Influenza (Slaughter and
Vaccination) (Scotland) Regulations 2006**

Powers of Slaughter

Measures on special category premises – highly pathogenic avian influenza

7.—(1) Where highly pathogenic avian influenza is confirmed on special category premises, the Scottish Ministers may decide not to cause all or any of the poultry or other captive birds on those premises to be killed under paragraph 5(1) of Schedule 3 to the Act where they consider that this does not materially reduce the effectiveness of measures to prevent the spread of avian influenza.

(2) Where a decision is taken under paragraph (1) not to cause any poultry or other captive birds on special category premises to be killed under paragraph 5(1) of Schedule 3 to the Act, those birds shall not be moved unless the Chief Veterinary Officer (Scotland) is satisfied, following tests, that they are not infectious with avian influenza.

(3) Where a decision is taken under paragraph (1) not to cause any poultry or other captive birds on special category premises to be killed under paragraph 5(1) of Schedule 3 to the Act, the occupier of the special category premises must ensure that—

- (a) poultry and other captive birds on the premises are housed or (if, in the view of a veterinary inspector, housing is impractical or would adversely affect the birds' welfare to a significant degree) isolated, on the premises;
- (b) records are kept of all poultry and other captive birds which become sick or die on the premises;
- (c) no poultry or other captive bird is moved from the premises except—
 - (i) to a slaughterhouse or other premises in accordance with a licence granted by a veterinary inspector; or
 - (ii) to a slaughterhouse or other premises in another member State, if the movement is licensed by a veterinary inspector and is authorised by that member State.

(4) The occupier of the premises must take all reasonable steps to minimise contact between birds isolated under paragraph (3)(a) and—

- (a) poultry and other captive birds on other premises; and
- (b) wild birds.