
STATUTORY INSTRUMENTS

2006 No. 2703

The Avian Influenza (Vaccination) (England) Regulations 2006

Interpretation

2.—(1) 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 Directive” means Council Directive [2005/94/EC](#) on Community measures for the control of avian influenza and repealing Directive [92/40/EEC](#)⁽²⁾;

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

“emergency vaccination plan” has the same meaning as it has in Article 53 of the Directive ^{[^{F1}}, reading that Article as if—

(a) in paragraph 1—

- (i) for “A Member State” there were substituted “ The Secretary of State ”;
- (ii) for “the Member State” there were substituted “ England ”;
- (iii) the words “concerned” to the end were omitted;

(b) in paragraph 2, in the first subparagraph—

- (i) for “a Member State” there were substituted “ the Secretary of State ”;
- (ii) for the words from “it shall submit” to the end there were substituted “ the Secretary of State must produce an emergency vaccination plan ”;

(c) paragraph 3 were omitted.];

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

“inspector” means an inspector appointed by the Secretary of State 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” means—

(a) in any part of England where there is, within the meaning of the Local Government Changes for England Regulations 1994⁽³⁾, a unitary authority for that local government area, that authority;

(b) where there is not a unitary authority—

- (i) in a metropolitan district, the council of that district;
- (ii) in a non-metropolitan county, the council of that county;

(1) 1981 c.22, amended by S.I. 1992/3293, the [Animal Health Act 2002](#), c.42 and S.I. 2003/1734. Other amendments are not relevant to these Regulations.

(2) OJNo. L 10, 14.1.2006, p. 16.

(3) S.I. 1994/867, to which there are amendments not relevant to these Regulations.

(iii) in each London borough, the council of that borough;

(iv) in the city of London, the Common Council;

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

“other captive bird” 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” 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” includes any land, building or place;

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

“preventive vaccination plan” has the same meaning as it has in Article 56 of the Directive [F², reading that Article as if—

(a) in paragraph 1, the reference to Member States were a reference to the Secretary of State;

(b) in paragraph 2, in the first subparagraph—

(i) for “a Member State” there were substituted “ the Secretary of State ”;

(ii) or the words from “it shall submit” to the end there were substituted “ the Secretary of State must produce a preventive vaccination plan ”;

(c) paragraph 3 were omitted.];

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

“slaughterhouse” means an establishment used for slaughtering poultry, the meat of which is intended for human consumption;

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

“vaccination notice” means either an emergency vaccination notice or a preventive vaccination notice;

“vaccination plan” means either an emergency vaccination plan or a preventive vaccination plan;

“vaccination zone” means either an emergency vaccination zone or a preventive vaccination zone;

“veterinary inspector” means a person appointed as such by the Secretary of State 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.

Textual Amendments

F1 Words in reg. 2(1) inserted (31.12.2020) by *The Exotic Disease (Amendment) (England) (EU Exit) Regulations 2018 (S.I. 2018/1406)*, regs. 1, **6(2)(a)**; 2020 c. 1, Sch. 5 para. 1(1)

F2 Words in reg. 2(1) inserted (31.12.2020) by *The Exotic Disease (Amendment) (England) (EU Exit) Regulations 2018 (S.I. 2018/1406)*, regs. 1, **6(2)(b)**; 2020 c. 1, Sch. 5 para. 1(1)

Changes to legislation:

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