
STATUTORY INSTRUMENTS

2007 No. 954

**The Avian Influenza (Fees for the Licensed
Vaccination of Birds) (England) Regulations 2007**

Fees relating to the vaccination of birds

2.—(1) The Secretary of State may charge an applicant a fee in respect of any of the expenses set out in paragraph (2) which the Secretary of State reasonably incurs in connection with a licence to—

- (a) vaccinate a bird in a zoo against avian influenza under regulation 9(1)(c) of the Avian Influenza (Preventive Measures) (England) Regulations 2006(1) (“the Preventive Measures Regulations”);
- (b) vaccinate poultry, other captive birds or any category of poultry or other captive birds against avian influenza under regulation 7(1)(a) of the Avian Influenza (Vaccination) (England) Regulations 2006(2) (“the Vaccination Regulations”);
- (c) move a vaccinated zoo bird under regulation 11(1) of the Preventive Measures Regulations; or
- (d) release a vaccinated zoo bird under regulation 11(5) of those Regulations.

(2) The expenses are those incurred by the Secretary of State in—

- (a) issuing, amending or renewing a licence;
- (b) ensuring the applicant complies with the conditions of a licence;
- (c) providing vaccine to the applicant;
- (d) disposing of any vaccine;
- (e) supplying and applying means of identification to a vaccinated bird;
- (f) monitoring vaccination at premises the subject of a licence;
- (g) carrying out surveillance of a bird vaccinated at such premises;
- (h) sampling and testing samples from any bird which is—
 - (i) at such premises;
 - (ii) at any premises to which a vaccinated bird is moved;
 - (iii) inspected because it is at premises with an epidemiological link with premises where a bird has been vaccinated.

(3) An applicant must pay all fees charged by the Secretary of State under these Regulations within 14 days of the date of a notice from the Secretary of State requiring him to do so.

(4) If the Secretary of State introduces compulsory vaccination at any premises before licensed vaccination under regulation 9(1)(c) of the Preventive Measures Regulations or regulation 7(1)(a) of the Vaccination Regulations has been completed there, he must refund an appropriate sum to the applicant.

(5) An “applicant” is a person who applies for a licence referred to in regulation 2(1).

(6) “An appropriate sum” is such proportion of any fee paid by an applicant under this regulation as the Secretary of State thinks fit, having regard to any reasonable costs the Secretary of State has incurred in connection with the licence.

(7) “Compulsory vaccination” is—

- (a) in the case of vaccination under the Preventive Measures Regulations, vaccination—
 - (i) carried out by the Secretary of State under regulation 9(1)(a) of those Regulations; or
 - (ii) required by him under regulation 9(1)(b) of those Regulations;
- (b) in the case of vaccination under the Vaccination Regulations, vaccination required by the Secretary of State under regulation 8(1) of those Regulations.

Changes to legislation:

There are currently no known outstanding effects for the The Avian Influenza (Fees for the Licensed Vaccination of Birds) (England) Regulations 2007, Section 2.