
STATUTORY RULES OF NORTHERN IRELAND

2007 No. 68

The Avian Influenza and Influenza of Avian Origin
in Mammals Regulations (Northern Ireland) 2007

PART I
INTRODUCTION

Interpretation

2.—(1) In these Regulations—

“avian influenza prevention zone” means an avian influenza prevention zone declared under regulation [6\(1\)\(a\)](#);

“avian influenza (restrictions on mammals) zone” means an avian influenza (restrictions on mammals) zone declared under regulation [61\(1\)\(b\)](#);

“bird carcase” means the carcase of any bird and includes any part of a bird carcase;

[^{F1}“border control post” means a place, together with the facilities contained at that place, which has been designated by the Department in accordance with Article 59 and listed by the European Commission in accordance with Article 60 for the performance of the official controls set out in Article 47(1) of the Regulation (EU) 2017/625;]

“carcase” means any bird carcase or mammal carcase;

“commercial poultry premises” means commercial premises where poultry are kept;

“commercial premises” means premises where poultry or other captive birds are kept for commercial purposes but does not include premises where birds and their eggs are kept by their owners for their own consumption or use or as pets;

“contact premises”—

(a) in Part IV, has the meaning given in regulation [26\(2\)](#);

(b) in Part VI, has the meaning given in regulation [53\(2\)](#);

(c) in Part VII, has the meaning given in regulation [61\(2\)](#); and

(d) in Part VIII, has the meanings given in regulations [26\(2\)](#), [53\(2\)](#) and [61\(2\)](#);

“controlled zone” means a protection zone, a surveillance zone, a restricted zone, a temporary movement restriction zone, a temporary control zone, a low pathogenic avian influenza restricted zone, an avian influenza prevention zone, or an avian influenza (restrictions on mammals) zone;

“designated” means designated by the Department in accordance with regulation [71](#);

“the Department” means the Department of Agriculture and Rural Development;

“the Directive” means Council Directive [2005/94/EC](#) on Community measures for the control of avian influenza and repealing Directive [92/40/EEC\(1\)](#)^[F2], as last amended by Commission Implementing Decision (EU) 2018/662];

“egg processing plant” means an establishment for the manufacture of egg products, as referred to in Chapter II of Section X of Annex III to Regulation (EC) No [853/2004](#) of the European Parliament and of the Council of 29 April 2004 laying down specific hygiene rules for food of animal origin (2)^[F3], as last amended by Commission Regulation (EU) 1020/2008];

“infected premises” means—

- (a) in Part IV, premises where the Department has confirmed that highly pathogenic avian influenza or highly pathogenic avian influenza virus exists;
- (b) in Part VI, premises where the Department has confirmed that low pathogenic avian influenza or low pathogenic avian influenza virus exists;
- (c) in Parts VIII and IX and in Schedule 3, premises where the Department has confirmed that highly pathogenic avian influenza, highly pathogenic avian influenza virus, low pathogenic avian influenza or low pathogenic avian influenza virus exists;

“inspector” means a person appointed by the Department to be an inspector for the purposes of these Regulations and includes a veterinary inspector;

“keeper” means any person responsible for birds or animals, whether on a permanent or temporary basis, but does not include a person responsible for them solely because he is transporting them;

“low pathogenic avian influenza restricted zone” means a low pathogenic avian influenza restricted zone declared under regulation [55](#);

“mammal” means any mammal, except man;

“mammal carcase” means the carcase of any mammal and includes any part of a mammal carcase;

“non-commercial premises” means premises where poultry or other captive birds are kept by their owners for their own consumption or use or as pets;

“the 1981 Order” means the Diseases of Animals (Northern Ireland) Order 1981(3);

“premises” includes any land, building or other place;

“protection zone” means a protection zone declared under regulation [28\(1\) to \(4\)](#);

“racing pigeon” means any pigeon transported or intended for transport from its pigeon house so that it may be released and freely fly back there or to another destination;

“regulated place” means a slaughterhouse or border inspection post;

“restricted zone” means a restricted zone declared under regulation [28\(5\)](#);

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

“special category premises” has the meaning given in regulation [22\(3\)](#);

“surveillance zone” means a surveillance zone declared under regulation [28\(1\) to \(4\)](#);

“suspect premises” means premises subject to restrictions under regulations [9](#) or [10](#);

“temporary control zone” means a temporary control zone declared under regulation [13\(c\)](#);

(1) O.J. No. L10, 14.1.2006, p 16

(2) O.J. No. L 139, 30.4.2004, p. 55. The revised text of Regulation (EC) No. [853/2004](#) is now set out in a Corrigendum (O.J. No. L226, 25.6.2004, p.22)

(3) [S.I. 1981/1115 \(N.I.22\)](#) as amended by [S.I. 1984/702 \(N.I.2\)](#) Article 17, [S.I. 1994/1891 \(N.I.6\)](#) Articles 20, 22 and 23

“temporary movement restriction zone” means a temporary movement restriction zone declared under regulation 13(a);

“unregulated period of infection” has the meaning given in regulation 23(3);

“vehicle” includes any means of transport and includes—

- (a) a trailer, semi-trailer or other thing designed or adapted to be towed by another vehicle;
- (b) a detachable part of any vehicle;
- (c) a container or other structure designed or adapted to be carried on a vehicle;

(2) Expressions that are not defined in these Regulations and occur in the Directive have the same meaning in these Regulations as they have for the purposes of the Directive.

(3) The Interpretation Act (Northern Ireland) 1954(4) shall apply to these Regulations as it applies to an Act of the Northern Ireland Assembly.

Textual Amendments

- F1** Words in reg. 2(1) substituted (14.12.2019) by The Official Controls (Animals, Feed and Food) Regulations (Northern Ireland) 2019 (S.R. 2019/227), regs. 1, 16(2)
- F2** Words in reg. 2(1) inserted (11.4.2019) by The Animal Health and Welfare (Amendment) Regulations (Northern Ireland) 2019 (S.R. 2019/82), reg. 1, Sch. 3 para. 12(a)
- F3** Words in reg. 2(1) inserted (11.4.2019) by The Animal Health and Welfare (Amendment) Regulations (Northern Ireland) 2019 (S.R. 2019/82), reg. 1, Sch. 3 para. 12(b)

Commencement Information

- I1** Reg. 2 in operation at 10.2.2007, see reg. 1

Changes to legislation:

There are currently no known outstanding effects for the The Avian Influenza and Influenza of Avian Origin in Mammals Regulations (Northern Ireland) 2007, Section 2.