

EXECUTIVE NOTE

THE AVIAN INFLUENZA (PREVENTIVE MEASURES) (SCOTLAND) ORDER 2007 SSI/2007/69

Introduction

The above Order is made by Scottish Ministers under the Animal Health Act 1981 and the European Communities Act 1972. It is subject to negative parliamentary procedure.

Policy Objective

The **Avian Influenza (Preventive Measures) (Scotland) Order 2007 (SSI/2007/69)** makes provisions consistent with Commission Decision 2005/734/EC, as amended by Commission Decisions 2005/745/EC(1), 2005/855/EC(2), 2006/405/EC(3) and 2006/574/EC(4); and in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health of 27 November 2006. These lay down biosecurity measures to reduce the risk of transmission of highly pathogenic avian influenza caused by Influenza virus A subtype H5N1. The new Order consolidates and updates provisions previously contained in the Avian Influenza (Preventive Measures) (Scotland) Regulations 2005.

Background

Avian Influenza (AI) is a serious disease of poultry and other birds. It exists in two main forms, the more serious being Highly Pathogenic Avian Influenza (HPAI) which is a notifiable disease causing high and rapid mortality in birds and entailing serious economic consequences. Although it does not transmit easily to humans, fatalities have been recorded, usually in people living in close contact with infected birds. The virus has several subtypes, of which H5N1 is considered to be of the greatest concern.

Consultation

There has been no formal period of public consultation as this is an update of previous legislation; however, views have been sought from members of the Poultry Stakeholder group who have given their full support. The updated measures in this Instrument are now required as a matter of urgency as a result of H5N1 having been confirmed in poultry in England.

Impact

A Regulatory Impact Assessment has not been prepared for this Instrument as it consolidates provisions previously contained in the Avian Influenza (Preventive Measures) (Scotland) Regulations 2005.

**SCOTTISH EXECUTIVE ENVIRONMENT AND RURAL AFFAIRS DEPARTMENT
February 2007**

(1) O.J. L 279, 22.10.2005, p.79.
(2) O.J. L 316, 2.12.2005, p.21.
(3) O.J. L 158, 10.6.2006, p.14.
(4) O.J. L 228, 22.8.2006, p.24.