



STATUTORY INSTRUMENTS.

S.I. No. 478 of 2017



EUROPEAN COMMUNITIES (CONTROL OF AVIAN INFLUENZA)
(AMENDMENT) REGULATIONS 2017

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I, MICHAEL CREED, Minister for Agriculture, Food and the Marine, in exercise of the powers conferred on me by section 3 of the European Communities Act 1972 (No. 27 of 1972) for the purpose of giving further effect to Council Directive 2005/94/EC of 20 December 2005¹, hereby make the following regulations:

1. These Regulations may be cited as the European Communities (Control of Avian Influenza) (Amendment) Regulations 2017.

2. The European Communities (Control of Avian Influenza) Regulations 2006 are amended by the insertion, after Regulation 25, of —

“25A. (1) A derogation under these Regulations shall be expressed and have effect to authorise—

- (a) the movement of manure, including used litter, or slurry to a designated plant for the purposes of Article 20, or of manure for the purposes of Article 30 (h),
- (b) the direct transport of poultry originating in the protection zone for immediate slaughter to a designated slaughterhouse for the purposes of Article 23 (1), Article 30 (c) (i) or Article 44 (1) (d) (i),
- (c) the direct transport of poultry from outside the protection zone for immediate slaughter to a designated slaughterhouse within the protection zone and subsequent movement of the meat derived from such poultry for the purposes of Article 23 (2),
- (d) the direct transport of day-old chicks from within the protection zone for the purposes of Article 24 (1),
- (e) the direct transport of day-old chicks hatched from eggs originating from outside the protection and surveillance zones for the purposes of Article 24 (2), or day old chicks for the purpose of Article 30 (c) (iii),
- (f) the direct transport of ready-to-lay poultry for the purposes of Article 25 or Article 30 (c) (ii),

¹OJ L 10, 14.1.2006, p. 16-65

- (g) the direct transport of hatching eggs to a designated hatchery for the purposes of Article 26 (1), Article 30 (c) (iv) or Article 44 (1) (d) (iv),
- (h) the direct transport of eggs to a designated packing centre for the purposes of Article 26 (2) (a), or for the purposes of Article 30 (c) (v) or Article 44 (1) (d) (v),
- (i) the direct transport of eggs to a designated establishment for the purposes of Article 8 (3), Article 13 (3), Article 26 (2) (b) or (c), Article 30 (c) (vi) or (vii) or Article 44 (1) (d) (vi) or (vii),
- (j) the direct transport of carcasses for the purposes of Article 27, or
- (k) the direct transport of poultry for the purposes of Article 44 (1) (d) (ii),
- (l) the direct transport of day-old chicks for the purposes of Article 44 (1) (d) (iii), or
- (m) the movement of pigs for the purposes of Article 47,

of the Council Directive.

(2) A person who deals with manure, slurry, poultry, meat derived from poultry, day-old chicks, eggs or carcasses to which paragraph (1) relates other than in accordance with a derogation granted in respect of the manure, slurry, poultry, meat derived from poultry, day-old chicks, eggs or carcasses under these Regulations, commits an offence.

(3) The Minister may, on application for designation for the purposes of these Regulations, designate a plant, slaughterhouse, hatchery, packing centre or other land or premises for a purpose mentioned in paragraph (1), attach conditions to the designation, vary a condition, revoke a designation or refuse an application.

(4) The Minister shall publish on the website of his or her Department of State and in any other manner that the Minister considers appropriate (if any) a list of plants, slaughterhouses, hatcheries, packing centres or other lands or premises, the purpose to which the designation relates and such other information as the Minister considers appropriate.”.



GIVEN under my Official Seal,
26 October 2017.

MICHAEL CREED,
Minister for Agriculture, Food and the Marine.

EXPLANATORY NOTE

(This note is not part of the Instrument and does not purport to be a legal interpretation.)

These Regulations provide for the designation of poultry facilities so that they may continue to operate while restriction zones are in place in the event of an outbreak of avian influenza.

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