

SCHEDULE 5

Article 31

Measures in a surveillance zone

Record of visitors

1. Subject to paragraph 5, the occupier of any premises where poultry or other captive birds are kept must make records of—

- (a) the name and address of any person visiting the premises (unless the visit is only to a part of the premises where people live and where no poultry or other captive birds are kept);
- (b) the date of the visit;
- (c) whether the person had any contact with poultry or other captive birds on the premises.

[^{F1}Record of poultry

2. The occupier of any premises where poultry or other captive birds are kept in the zone must—

- (a) make a record of all poultry entering or leaving those premises as soon as reasonably practicable after the movement;
- (b) immediately report to the Welsh Ministers any increased morbidity or mortality or significant drop in egg production or, where relevant, feed or water intake, or other relevant information relating to the production of eggs on the premises.]

Textual Amendments

- F1** [Sch. 5 para. 2](#) substituted (10.3.2022 at 8.47 p.m.) by [The Avian Influenza \(Wales\) \(Amendment and Revocation\) Order 2022 \(S.I. 2022/280\)](#), arts. 1(2), **21(a)**

Record of poultry movements

3. Subject to paragraph 5, any person who is engaged in the transport or marketing of poultry or poultry eggs in the zone must, as soon as is reasonably practicable, make a record of all poultry and poultry eggs transported or marketed by him.

Poultry movements to be recorded

4. The records referred to in paragraphs 2 and 3 above must include—

- (a) the quantity and description (including species of poultry and type of egg) transported or marketed;
- (b) in the case of a movement from premises in the zone—
 - (i) the date of the movement off the premises;
 - (ii) the premises of destination (if known);
 - (iii) the name and address of the person to whom ownership or possession is being or has been transferred;
- (c) in the case of a movement onto premises in the zone—
 - (i) the date of the movement;
 - (ii) the premises from which the movement originated (if known);
 - (iii) the name and address of the person from whom ownership or possession is being or has been transferred;

- (d) in the case of marketing without an associated movement, the identity and address of the person to whom and the date on which ownership was transferred.

Scope of record keeping duties

- 5. Paragraphs 1 and 3 do not apply in respect of the movement of—
 - (a) eggs direct to retail premises, at or from such premise or subsequent to such a movement;
 - (b) people to zoos, wildlife parks or (unless required by the National Assembly) any other premises open to the public, provided the public has no access to any area where birds are kept;
 - (c) the following onto any premises where poultry or other captive birds are kept—
 - (i) any person on a public right of way or exercising any other right of access to the premises;
 - (ii) trespassers;
 - (iii) any person executing this Order.

Restrictions on the movement of poultry, other captive birds and mammals onto and off premises

6.—(1) Subject to sub-paragraph (2), no person is to move poultry, other captive birds or mammals from or to premises in the zone where poultry or other captive birds are kept, unless the movement is licensed by a veterinary inspector or by an inspector under the direction of a veterinary inspector.

- (2) Sub-paragraph (1) does not apply to pet animals which—
 - (a) only have access to that part of the premises where people live;
 - (b) have no contact with poultry or other captive birds on the premises; and
 - (c) have no access to any cages or areas on the premises where poultry or other captive birds are kept.

Biosecurity measures

7. The occupier and any person entering or leaving premises in the zone where poultry, other captive birds or eggs are kept must—

- (a) take such biosecurity measures as he considers necessary to reduce the risk of the spread of avian influenza to or from the premises; and
- (b) comply with any biosecurity requirements which a veterinary inspector or an inspector under the direction of a veterinary inspector by notice to him or her, imposes.

Litter, poultry manure and slurry

8.—^[F2(1)] No person is to remove from premises in the zone or spread used poultry litter, poultry manure or poultry slurry unless licensed by a veterinary inspector or by an inspector under the direction of a veterinary inspector.

^[F3(2)] The movement of poultry manure, with appropriate biosecurity measures in place, may be authorised, by a veterinary inspector, from premises situated in a surveillance zone to a designated plant, for treatment or immediate storage for subsequent treatment, to mitigate against the risk of the spread of avian influenza virus.]

Textual Amendments

- F2** Sch. 5 para. 8 renumbered as Sch. 5 para. 8(1) (10.3.2022 at 8.47 p.m.) by [The Avian Influenza \(Wales\) \(Amendment and Revocation\) Order 2022 \(S.I. 2022/280\)](#), arts. 1(2), **21(b)(i)**
- F3** Sch. 5 para. 8(2) inserted (10.3.2022 at 8.47 p.m.) by [The Avian Influenza \(Wales\) \(Amendment and Revocation\) Order 2022 \(S.I. 2022/280\)](#), arts. 1(2), **21(b)(ii)**

^{F4}Restrictions on the movement of carcasses of poultry and other captive birds within the zone

8A.—(1) No person is to remove carcasses of poultry or other captive birds from premises in the zone.

(2) But a veterinary inspector or an inspector under the direction of a veterinary inspector may licence the removal of carcasses of poultry or other captive birds for the purpose of disposal or diagnosis from premises in the zone.]

Textual Amendments

- F4** Sch. 5 para. 8A inserted (8.11.2023) by [The Avian Influenza \(Miscellaneous Amendments\) \(Wales\) Order 2023 \(S.I. 2023/1179\)](#), arts. 1(2), **10(2)**

Gatherings of poultry

9. No person is to permit any poultry or other captive birds to be collected together at any fair, market, show, exhibition or other gathering in the zone.

Release of game

10.—^{F5}(1) No person is to release game birds.

^{F6}(2) For the purpose of this paragraph, game birds include any pheasant, partridge, grouse (or moor game), black (or heath) game or ptarmigan or ducks bred for shooting.]

Textual Amendments

- F5** Sch. 5 para. 10 renumbered as Sch. 5 para. 10(1) (8.11.2023) by [The Avian Influenza \(Miscellaneous Amendments\) \(Wales\) Order 2023 \(S.I. 2023/1179\)](#), arts. 1(2), **10(3)(a)**
- F6** Sch. 5 para. 10(2) inserted (8.11.2023) by [The Avian Influenza \(Miscellaneous Amendments\) \(Wales\) Order 2023 \(S.I. 2023/1179\)](#), arts. 1(2), **10(3)(b)**

Restrictions on the movement of poultry and eggs within the zone

11.—^{F7}(1) Subject to paragraph 12, no person is to move any poultry or eggs ^{F8}[into or] within the zone (other than through the zone by road or rail without stopping), unless ^{F9}they comply with all relevant biosecurity measures laid down by a veterinary inspector in licence conditions].

^{F10}(2) The occupier of premises to which poultry is moved, must not move that poultry from that premises for a period of at least 21 days from the day on which that poultry was moved onto the premises.]

Changes to legislation: There are currently no known outstanding effects for the The Avian Influenza and Influenza of Avian Origin in Mammals (Wales) (No 2) Order 2006, SCHEDULE 5. (See end of Document for details)

Textual Amendments

- F7** Sch. 5 para. 11 renumbered as Sch. 5 para. 11(1) (8.11.2023) by The Avian Influenza (Miscellaneous Amendments) (Wales) Order 2023 (S.I. 2023/1179), arts. 1(2), **10(4)(a)**
- F8** Words in Sch. 5 para. 11(1) inserted (8.11.2023) by The Avian Influenza (Miscellaneous Amendments) (Wales) Order 2023 (S.I. 2023/1179), arts. 1(2), **10(4)(b)**
- F9** Words in Sch. 5 para. 11 substituted (10.3.2022 at 8.47 p.m.) by The Avian Influenza (Wales) (Amendment and Revocation) Order 2022 (S.I. 2022/280), arts. 1(2), **21(c)**
- F10** Sch. 5 para. 11(2) inserted (8.11.2023) by The Avian Influenza (Miscellaneous Amendments) (Wales) Order 2023 (S.I. 2023/1179), arts. 1(2), **10(4)(c)**

Wholesale and retail distribution of eggs within the zone

12. Paragraph 11 does not apply to the movement of eggs direct to wholesale or retail premises, or subsequent to such a movement.

Biosecurity measures

13. A veterinary inspector must not grant a licence under paragraph 11 unless he or she is satisfied that the licensee will take appropriate biosecurity measures and the taking of such measures must be conditions of the licence.

Movement of poultry to a slaughterhouse

14. A veterinary inspector may license the movement of poultry from outside any avian influenza protection and surveillance zones to a slaughterhouse within the surveillance zone and subsequent movements of the meat derived from such poultry.

Restrictions on the movement of poultry [^{F11}, eggs, poultry meat, semen, blood samples and carcasses] out of the zone

15.—(1) Subject to paragraph 16, no person is to move any [^{F12}poultry or other captive birds, or any eggs, semen, blood samples or carcasses from any poultry or any other captive birds] out of the zone, unless the movement is—

- (a) a movement set out in sub-paragraph (2); and
 - (b) licensed by a veterinary inspector [^{F13}or by an inspector under the direction of a veterinary inspector].
- (2) The movements referred to in sub-paragraph (1) are movements of—
- (a) poultry for slaughter (if the requirements of paragraph 17 are met);
 - (b) day-old chicks hatched from eggs originating within the protection or surveillance zone or from eggs which came into contact with such eggs (if the requirements of paragraph 18 are met);
 - (c) day-old chicks hatched from eggs originating outside the protection and surveillance zones kept separate from eggs produced in such a zone (if the requirements of paragraph 19 are met);
 - (d) ready-to-lay poultry [^{F14}or brood-and-move poultry] to premises or a part of any premises where no poultry are kept;
 - (e) hatching eggs from the zone—
 - (i) to a designated hatchery; or

- (ii) to designated premises for use for scientific, diagnostic or pharmaceutical purposes (if, in both cases, the requirements of paragraph 20 are met);
- (f) eggs to a designated egg packing centre (if the requirements of paragraph 21 are met);
- (g) eggs to an egg processing plant;
- (h) eggs for disposal;
- [^{F15}(i) poultry to a veterinary surgery for treatment, or to the premises of origin on return following such a movement.]
- [^{F16}(j) semen to a breeding premises or to a designated premises for scientific, diagnostic or pharmaceutical purposes;
- (k) blood samples to a laboratory or veterinary practice for scientific or diagnostic purposes.]

Textual Amendments

- F11** Words in Sch. 5 para. 15 heading substituted (8.11.2023) by [The Avian Influenza \(Miscellaneous Amendments\) \(Wales\) Order 2023 \(S.I. 2023/1179\)](#), arts. 1(2), **10(5)(a)**
- F12** Words in Sch. 5 para. 15(1) substituted (8.11.2023) by [The Avian Influenza \(Miscellaneous Amendments\) \(Wales\) Order 2023 \(S.I. 2023/1179\)](#), arts. 1(2), **10(5)(b)**
- F13** Words in Sch. 5 para. 15(1)(b) inserted (8.11.2023) by [The Avian Influenza \(Miscellaneous Amendments\) \(Wales\) Order 2023 \(S.I. 2023/1179\)](#), arts. 1(2), **10(5)(c)**
- F14** Words in Sch. 5 para. 15(2)(d) substituted (8.11.2023) by [The Avian Influenza \(Miscellaneous Amendments\) \(Wales\) Order 2023 \(S.I. 2023/1179\)](#), arts. 1(2), **10(5)(d)**
- F15** Sch. 5 para. 15(2)(i) inserted (10.3.2022 at 8.47 p.m.) by [The Avian Influenza \(Wales\) \(Amendment and Revocation\) Order 2022 \(S.I. 2022/280\)](#), arts. 1(2), **21(d)(ii)**
- F16** Sch. 5 para. 15(2)(j)(k) inserted (8.11.2023) by [The Avian Influenza \(Miscellaneous Amendments\) \(Wales\) Order 2023 \(S.I. 2023/1179\)](#), arts. 1(2), **10(5)(e)**

Wholesale and retail distribution of table eggs

16. Paragraph 15 does not apply to a movement of table eggs direct to wholesale or retail premises or subsequent to such a movement.

[^{F17}Requirements for the movement of poultry from premises in the zone to a designated slaughterhouse

17. Poultry must not be moved from premises in the zone to a designated slaughterhouse outside the zone unless—

- (a) the movement commences within 24 hours of the completion of a veterinary inspection of the poultry at the premises, and
- (b) the appropriate minister responsible for the designated slaughterhouse has authorised the movement of that poultry.]

Textual Amendments

- F17** Sch. 5 para. 17 substituted (8.11.2023) by [The Avian Influenza \(Miscellaneous Amendments\) \(Wales\) Order 2023 \(S.I. 2023/1179\)](#), arts. 1(2), **10(6)**

Changes to legislation: There are currently no known outstanding effects for the The Avian Influenza and Influenza of Avian Origin in Mammals (Wales) (No 2) Order 2006, SCHEDULE 5. (See end of Document for details)

Requirements for the movement of day-old chicks hatched from eggs produced within the protection or surveillance zone or from eggs which have had contact with such eggs

18. Day-old chicks from eggs produced within the protection or surveillance zone or from eggs which have had contact with such eggs must not be moved unless any biosecurity measures laid down by a veterinary inspector by notice or licence condition are complied with.

Requirements for the movement of day-old chicks hatched from eggs originating outside the protection and surveillance zones

19. Day-old chicks from eggs originating outside any avian influenza protection and surveillance zones must not be moved unless the hatchery within the zone is operated in such a way that eggs from outside the zone do not come into contact with eggs or day-old chicks from within the zone.

Requirements for the movement of hatching eggs from the zone to a designated hatchery, or to designated premises for use for scientific, diagnostic or pharmaceutical purposes

20. Hatching eggs must not be moved from the zone to a designated hatchery or to designated premises for use for scientific, diagnostic or pharmaceutical purposes unless the eggs and their packaging are disinfected before they leave the premises.

Requirements for the movement of eggs to an egg packing centre

21. Eggs must not be moved to a designated egg packing centre unless—
- (a) they are packed in disposable packaging [^{F18}or packaging which has been cleansed and disinfected in accordance with the instructions of a veterinary inspector]; and
 - (b) any person transporting the eggs complies with any biosecurity measures laid down by a veterinary inspector.

Textual Amendments

F18 Words in Sch. 5 para. 21(a) inserted (10.3.2022 at 8.47 p.m.) by [The Avian Influenza \(Wales\) \(Amendment and Revocation\) Order 2022 \(S.I. 2022/280\)](#), arts. 1(2), **21(f)**

Cleansing and disinfection of vehicles carrying any thing which may be contaminated

22. A person who transports any poultry, other captive bird, meat, feed, manure, slurry, litter or any other thing which may be contaminated must cleanse and disinfect the vehicle and any equipment used to transport that thing as soon as it is unloaded, in accordance with article 66.

Cleansing and disinfection of vehicles

23. A person who enters or leaves premises in the zone by vehicle must cleanse and disinfect without delay any part of the vehicle which may have been contaminated, in accordance with article 66.

Changes to legislation:

There are currently no known outstanding effects for the The Avian Influenza and Influenza of Avian Origin in Mammals (Wales) (No 2) Order 2006, SCHEDULE 5.