

REGULATIONS

S.I. No. 699 of 2006

European Communities (Protection measures in relation to highly pathogenic avian influenza of the subtype H5N1 in poultry) (No. 3) Regulations 2006

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I, Mary Coughlan, Minister for Agriculture and Food, 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 effect to Commission Decision 2006/415/EC of 14 June 2006¹, hereby make the following regulations:

1. These Regulations may be cited as the European Communities (Protection measures in relation to highly pathogenic avian influenza of the subtype H5N1 in poultry) (No. 3) Regulations 2006.

2. The European Communities (Protection measures in relation to highly pathogenic avian influenza of the subtype H5N1 in poultry) (No. 2) Regulations 2006 (S.I. No. 491 of 2006) are amended by substituting for Regulation 7 the following-

“7. (1) An authorised officer may, for the purpose of enforcing these Regulations and the Council Directive, exercise all or any of the powers conferred on an authorised officer under section 17A of the Diseases of Animals Act 1966 and any reference in that section to -

(a) poultry includes a reference to other captive birds, and

(b) disease includes a reference to avian influenza.

(2) An authorised officer, being an inspector of the Minister, in exercising his or her powers under section 17A of the Diseases of Animals Act 1966 may, in making a clinical inspection of poultry or other captive birds, collect samples for laboratory examination.

¹ OJ No. L 164, 16.6.2006, p51.

- (3) A member of the Garda Síochána or an officer of Customs and Excise may for the purposes of these Regulations exercise any of the powers conferred on an authorised officer under section 17A of the Diseases of Animals Act 1966 or these Regulations.”

GIVEN under my Official Seal,

20th December 2006

Mary Coughlan

Minister for Agriculture and Food

EXPLANATORY NOTE.

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

These Regulations amend S.I. 491 of 2006 which transposed the measures set down in Commission Decision 2006/415/EC and provide for additional measures to be applied in the event of a suspect or confirmed outbreak of H5N1 Avian Influenza in poultry in Ireland.