

R E G U L A T I O N S

S.I. No. 700 of 2006

European Communities (Avian Influenza) (Precautionary Measures) Amendment 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 further effect to Commission Decision 2005/734/EC of 19 October 2005¹ as amended by Commission Decision 2005/745/EC of 21 October 2005² and Commission Decision 2005/855/EC of 30 November 2005³, hereby make the following regulations:

1. These Regulations may be cited as the European Communities (Avian Influenza) (Precautionary Measures) Amendment Regulations 2006.
2. The European Communities (Avian Influenza) (Precautionary Measures) Regulations 2006 (S.I. No. 121 of 2006) are amended by substituting for Regulation 4 the following-
 - “4. (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 O.J. No. L274, 20.10.2005, p. 105.

² O.J. No. L279, 22.10.2005, p. 79.

- (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

³ O.J. No. L316, 2.12.2005, p. 21.

EXPLANATORY NOTE.

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

The Regulations relate to enforcement of measures set down in Commission Decision 2005/734/EC and S.I. No. 121 of 2006.