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SCOTTISH STATUTORY INSTRUMENTS

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**2010 No. 438**

**WILDLIFE**

**The Wild Birds (Special Protection in Severe Weather) (Scotland) (No. 2) Order 2010**

*Made - - - - 8th December 2010*

*Coming into force - - 10th December 2010*

The Scottish Ministers make the following Order in exercise of the powers conferred by section 2(6) of the Wildlife and Countryside Act 1981(1) and all other powers enabling them to do so.

It appears to the Scottish Ministers that it is expedient that those birds which are included in Part I of Schedule 2 to that Act and specified in the Schedule to this Order should be protected during a period outside the close season for those birds.

In accordance with section 2(7) of that Act, they have consulted with the British Association for Shooting and Conservation, which appears to them to be a person representative of persons interested in the shooting of the birds to be protected by this Order.

In accordance with section 26(4)(b) of that Act, they have consulted with Scottish Natural Heritage, being the advisory body they consider is best able to advise them as to whether this Order should be made.

**Citation, commencement and extent**

1.—(1) This Order may be cited as the Wild Birds (Special Protection in Severe Weather) (Scotland) (No. 2) Order 2010 and comes into force on 10th December 2010.

(2) This Order extends to Scotland only.

**Special Protection**

2.—(1) The period beginning at 0.01 a.m. on 10th December 2010 and ending at 11.59 p.m. on 23rd December 2010 is declared as a period of special protection for those birds included in Part I of Schedule 2 to the Wildlife and Countryside Act 1981, and which are specified in the Schedule to this Order, with respect to the part of Great Britain specified in paragraph (2).

(2) The part of Great Britain specified for the purposes of this Order is Scotland.

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(1) 1981 c.69. The functions of the Secretary of State under section 2(6) were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c.46).

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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St Andrew's House,  
Edinburgh  
8th December 2010

*R CUNNINGHAM*  
Authorised to sign by the Scottish Ministers

## SCHEDULE

Article 2

Coot  
Duck, Tufted  
Gadwall  
Goldeneye  
Goose, Canada  
Goose, Greylag  
Goose, Pink-footed  
Mallard  
Moorhen  
Pintail  
Plover, Golden  
Pochard  
Shoveler  
Snipe, Common  
Teal  
Wigeon  
Woodcock

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### EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order creates a period of special protection for certain wild birds listed in Part I of Schedule 2 to the Wildlife and Countryside Act 1981 during which they are protected in the same manner as they are during the close season for those birds.

This Order applies to Scotland only.