
STATUTORY INSTRUMENTS

1985 No. 171

The Wildlife (Northern Ireland) Order 1985

PART IV

Supplemental

Power to vary Schedules

28.—(1) The Department may by order, either generally or with respect to particular provisions of Part II, particular areas of Northern Ireland or particular times of the year, add any bird to, or remove any bird from, any of or any Part of [^{F1}Schedules A1] to 4.

(2) An order under paragraph (1) adding any bird to Part II of Schedule 1 or Part I of Schedule 2 may prescribe a close season in the case of that bird for the purposes of Articles 4 and 5; and any close season so prescribed shall commence on a date not later than 1st February and end on a date not earlier than 31st August.

(3) The Department may, on a representation made to it by the Committee for Nature Conservation, by order either generally or with respect to particular provisions of Part II, particular areas of Northern Ireland or particular times of the year—

- (a) add to Schedule 5 or 7 any animal or add to Schedule 8 any plant which, in the opinion of the Department, is in danger of extinction in Northern Ireland or is likely to become so endangered unless conservation measures are taken; and
- (b) remove from Schedule 5 or 7 any animal, or remove from Schedule 8 any plant which, in the opinion of the Department, is no longer so endangered or likely to become so endangered.

(4) The Department may by order, either generally or with respect to particular provisions of [^{F2}Part 2] or particular times of the year—

- (a) add any animals to, or remove any animals from, Schedule 5 [^{F3}, Schedule 6 or Schedule 7]; and
- (b) add any plants to, or remove any plants from, Schedule 8.

(5) The Department may by order, either generally or with respect to particular areas of Northern Ireland—

- (a) add any animals to, or remove any animals from, Part I of Schedule 9; and
- (b) add any plants to, or remove any plants from, Part II of that Schedule.

(6) The Department may by order amend Schedule 10 by the addition of deer of any species not mentioned in that Schedule and of a close season for any description of deer of that species.

(7) The Department may by order amend Schedule 11 by adding any firearm or ammunition or by altering the description of, or deleting, any firearm or ammunition mentioned in that Schedule.

[^{F4}(8) The Department shall—

(a) not later than 5 years after the coming into operation of section 26 of the Wildlife and Natural Environment (Northern Ireland) Act 2011, and

(b) at least once in every period of five years thereafter,

review Schedules A1, 1, 2, 5 and 8 and determine whether it should exercise any power under this Article in relation to any of those Schedules.]

[^{F5}(9) The Department may by order, for the purpose of complying with the international trapping standards agreement, add any animal to, or remove any animal from, Schedule 6A.

(10) In paragraph (9), “the international trapping standards agreement” has the meaning given to it in Article 18(8).]

- | | |
|-----------|--|
| F1 | Words in art. 28(1) substituted (17.8.2011) by Wildlife and Natural Environment Act (Northern Ireland) 2011 (c. 15), ss. 39(1), 40(1), Sch. 2 para. 18(2) ; S.R. 2011/285, art. 2 , Sch. |
| F2 | Words in art. 28(4) substituted (17.8.2011) by Wildlife and Natural Environment Act (Northern Ireland) 2011 (c. 15), ss. 39(1), 40(1), Sch. 2 para. 18(3)(a) ; S.R. 2011/285, art. 2 , Sch. |
| F3 | Words in art. 28(4)(a) substituted (17.8.2011) by Wildlife and Natural Environment Act (Northern Ireland) 2011 (c. 15), ss. 39(1), 40(1), Sch. 2 para. 18(3)(b) ; S.R. 2011/285, art. 2 , Sch. |
| F4 | Art. 28(8) added (17.8.2011) by Wildlife and Natural Environment Act (Northern Ireland) 2011 (c. 15), ss. 26, 40(1) ; S.R. 2011/285, art. 2 , Sch. |
| F5 | Art. 28(9)-(10) inserted (31.5.2019) by The Humane Trapping Standards Regulations (Northern Ireland) 2019 (S.R. 2019/68), regs. 1(1)(b), 7(2) |

Changes to legislation:

There are currently no known outstanding effects for the The Wildlife (Northern Ireland) Order 1985, Section 28.