

These notes refer to the Natural Environment and Rural Communities Act 2006 (c.16) which received Royal Assent on 30 March 2006

NATURAL ENVIRONMENT AND RURAL COMMUNITIES ACT 2006

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 3: Wildlife etc.

Pesticides harmful to wildlife

Section 46: Interpretation

127. *Subsection (2)* defines “pesticide”. The term can include substances, preparations or organisms prepared or used for destroying any pests.
128. *Subsection (3)* defines “wild bird” and “wild animal”. Under the Wildlife and Countryside Act 1981 “wild bird” means any bird of a species that is ordinarily resident in or is a visitor to the European territory of any member state in a wild state, but does not include poultry, or game birds (other than in a few specified circumstances). “Wild animal” under the 1981 Act means any animal (other than a bird) which is or (before it was taken) was living wild.
129. It is necessary to be able to inspect not only land and buildings but also vehicles, vessels and so on, and therefore in *subsection (4)* “premises” is given an extended meaning. It is not uncommon in legislation for the meaning of “premises” to be extended in this way.