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STATUTORY INSTRUMENTS

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**1995 No. 2876**

**WILDLIFE**

**The Gibraltar Point (Area of Special Protection) Order 1995**

*Made - - - - 6th November 1995*

*Coming into force - - 7th November 1995*

The Secretary of State, in exercise of the powers conferred on him by section 3(1) of the Wildlife and Countryside Act 1981(1) (“ the Act”) and all other powers enabling him in that behalf, having complied with the requirements of sections 3(4) and 26(4)(a) and (b) of the Act and the requirements of section 3(5) of the Act being satisfied, hereby makes the following Order:

**Citation, Commencement and Interpretation**

1.—(1) This Order may be cited as the Gibraltar Point (Area of Special Protection) Order 1995 and shall come into force on 7th November 1995.

(2) In this Order—

“the Act” means the Wildlife and Countryside Act 1981;

“the Gibraltar Point Area of Special Protection” means the area specified in the Schedule to this Order; and

“the deposited map” means the map marked “Map referred to in the Gibraltar Point (Area of Special Protection) Order 1995” and signed by an Under-Secretary in the Department of the Environment, which has been prepared in duplicate and of which one copy has been deposited and is available for inspection at the offices of the East Lindsey District Council and the other has been deposited and is available for inspection at the offices of the Secretary of State for the Environment.

**Area of Special Protection**

2. The area specified in the Schedule to this Order shall be an area of special protection for wild birds.

**Offences**

3. Any person who, within the Gibraltar Point Area of Special Protection, at any time intentionally—

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(1) 1981 c. 69.

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*Status: This is the original version (as it was originally made).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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- (a) kills, injures or takes any wild bird;
- (b) takes, damages or destroys the nest of such a bird while that nest is in use or being built;
- (c) takes or destroys an egg of such a bird;
- (d) disturbs such a bird while it is building a nest or is in, on or near a nest containing eggs or young; or
- (e) disturbs dependent young of such a bird,

shall be guilty of an offence under section 3 of the Act and liable to a special penalty.

#### **Prohibition of Entry**

4. Any person who enters into the part of the Gibraltar Point Area of Special Protection known as the Shore Sanctuary and shown cross hatched on the deposited map between 1st March and 30th September (inclusive of those dates) in any year shall be guilty of an offence under section 3 of the Act and liable to a special penalty.

#### **Revocation**

5. The Wild Birds (Gibraltar Point Sanctuary) Order 1971(2) is hereby revoked.

Signed by authority of the Secretary of State

6th November 1995

*J. P. Plowman*  
An Under-Secretary in the  
Department of the Environment

## SCHEDULE

The area within the County of Lincolnshire known as Gibraltar Point, near Skegness and which is shown enclosed by a black line on the deposited map.

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### EXPLANATORY NOTE

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

This Order makes an area of land, shown on the deposited map, at Gibraltar Point near Skegness, Lincolnshire an area of special protection for wild birds under section 3 of the Wildlife and Countryside Act 1981 (“the 1981 Act”).

Article 3 of the Order makes acts described in that article (including the killing or disturbance of wild birds) an offence.

Article 4 of the Order prohibits entry into the part of the area cross hatched on the deposited map between 1st March and 30th September (inclusive of those dates) in any year.

The Order makes offenders liable to a special penalty in accordance with section 21 of the Act.

The Order does not affect the exercise of rights by persons as owners, lessees or occupiers of any land in the area or of rights granted by virtue of a licence or agreement (section 3(3) of the 1981 Act).

Copies of the deposited map may be inspected at the Department of the Environment, Tollgate House, Houlton Street, Bristol BS2 9DJ and at the offices of East Lindsey District Council.

The Order revokes the Wild Birds (Gibraltar Point Sanctuary) Order 1971.