

SCHEDULE

Regulation 3(1)

AMENDMENTS TO THE WILDLIFE AND COUNTRYSIDE ACT 1981

1. In section 1 (protection of wild birds, their nests and eggs)—
 - (a) in subsection (3)(a)—
 - (i) before “killed”, the second time it occurs, insert “lawfully”, and
 - (ii) omit “otherwise than in contravention of the relevant provisions”;
 - (b) in subsection (3)(b)—
 - (i) before “sold” insert “lawfully”, and
 - (ii) omit “otherwise than in contravention of the relevant provisions”;
 - (c) in subsection (3) omit the words from “and”, where first occurring, to the end of the subsection; and
 - (d) after subsection (3) insert the following subsection—

“(3A) In subsection (3) “lawfully” means without any contravention of—

 - (a) this Part and orders made under it;
 - (b) the Protection of Birds Acts 1954 to 1967 and orders made under those Acts;
 - (c) any other legislation which implements Council Directive [79/409/EEC](#) on the conservation of wild birds and extends to any part of the United Kingdom, to any area designated in accordance with section 1(7) of the Continental Shelf Act 1964, or to any area to which British fishery limits extend in accordance with section 1 of the Fishery Limits Act 1976; and
 - (d) the provisions of the law of any member State (other than the United Kingdom) implementing the Council Directive referred to in paragraph (c).”.
2. In the definition of “wild bird” in subsection (1) of section 27 (interpretation of Part 1)—
 - (a) for “kind” substitute “species”, and
 - (b) for “Great Britain” substitute “the European territory of any member State”.