
STATUTORY INSTRUMENTS

1985 No. 171

The Wildlife (Northern Ireland) Order 1985

PART II

Wildlife

Protection of birds

Prohibition of certain methods of killing or taking wild birds

- 6.—(1) Subject to the provisions of this Part, if any person—
- (a) sets in position any of the following articles, being an article which is of such a nature and is so placed as to be calculated to cause bodily injury to any wild bird coming into contact therewith, that is to say, any springe, trap, gin, snare, hook and line, any electrical device for killing, stunning or frightening or any poisonous, poisoned or stupefying substance or muscle-relaxing agent;
 - (b) uses for the purpose of killing or taking any wild bird any such article as aforesaid, whether or not of such a nature and so placed as aforesaid, or any net, baited board, bird-lime or substance of a like nature to bird-lime;
 - (c) uses for the purpose of killing or taking any wild bird—
 - (i) any missile which is not discharged from a firearm, including in particular any arrow or spear;
 - (ii) any explosive other than ammunition for a firearm;
 - (iii) any automatic or semi-automatic weapon;
 - (iv) any shotgun of which the barrel has an internal diameter at the muzzle of more than one and three-quarter inches;
 - (v) any metal bar, axe, hatchet, cudgel, club, hammer or similar instrument;
 - (vi) any device for illuminating a target or any sighting device for night shooting;
 - (vii) any form of artificial light or any mirror or other dazzling device;
 - (viii) any gas or smoke not falling within sub-paragraphs (a) and (b) or
 - (ix) any chemical wetting agent;
 - (d) uses as a decoy, for the purpose of killing or taking any wild bird, any sound recording or any live bird or other animal whatsoever which is tethered, or which is secured by means of braces or other similar appliances, or which is blind, maimed or injured; or
 - (e) uses any mechanically propelled vehicle in immediate pursuit of a wild bird for the purpose of killing or taking that bird,

he shall be guilty of an offence ^{F1}

(2) The Department may by order amend paragraph (1) by adding any method of killing or taking wild birds or by omitting any such method which is mentioned in that paragraph.

(3) In any proceedings under paragraph (1)(a) it shall be a defence to show that the article was set in position by the accused for the purpose of killing or taking, in the interests of public health, agriculture, forestry, fisheries or nature conservation, any wild animals which could be lawfully killed or taken by those means and that he took all reasonable precautions to prevent injury thereby to wild birds.

(4) Nothing in paragraph (1) shall make unlawful—
Sub#para. (a) rep. by 1995 NI 6

(b) the use of a cage-trap or net for the purpose of taking any game-bird, if it is shown that the taking of the bird is solely for the purpose of breeding;

but nothing in this paragraph shall make lawful the use of any net for taking birds in flight or the use for taking birds on the ground of any net which is projected or propelled otherwise than by hand.

(5) Any person who, being the occupier or concerned in the management of any land, [^{F2}knowingly causes or permits] another person to commit an offence under paragraph (1) on that land, shall be guilty of an offence.

(6) Any person who sells, offers or exposes for sale, any self-locking snare with a view to its being used for a purpose which is unlawful under paragraph (1)(a) or (b), shall be guilty of an offence.

F1 Words in art. 6(1) repealed (17.8.2011) by [Wildlife and Natural Environment Act \(Northern Ireland\) 2011 \(c. 15\)](#), ss. 39(2), 40(1), [Sch. 3 Pt. 1](#); S.R. 2011/285, [art. 2](#), Sch.

F2 Words in art. 6(5) substituted (17.8.2011) by [Wildlife and Natural Environment Act \(Northern Ireland\) 2011 \(c. 15\)](#), ss. 39(1), 40(1), [Sch. 2 para. 7](#); S.R. 2011/285, [art. 2](#), Sch.

Changes to legislation:

There are currently no known outstanding effects for the The Wildlife (Northern Ireland) Order 1985, Section 6.