
STATUTORY INSTRUMENTS

1991 No. 478

WILDLIFE

The Wildlife and Countryside (Registration and Ringing of Certain Captive Birds) (Amendment) Regulations 1991

<i>Made</i>	- - - -	<i>6th March 1991</i>
<i>Laid before Parliament</i>		<i>11th March 1991</i>
<i>Coming into force</i>	- -	<i>1st April 1991</i>

The Secretary of State for the Environment, as respects England, the Secretary of State for Wales, as respects Wales, and the Secretary of State for Scotland, as respects Scotland, in exercise of the powers conferred on them by section 7(1) and (2) of the Wildlife and Countryside Act 1981⁽¹⁾, and of all other powers enabling them in that behalf, hereby make the following Regulations:—

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Wildlife and Countryside (Registration and Ringing of Certain Captive Birds) (Amendment) Regulations 1991 and shall come into force on 1st April 1991.

(2) In these Regulations—

“the principal Regulations” means the Wildlife and Countryside (Registration and Ringing of Certain Captive Birds) Regulations 1982⁽²⁾.

Termination of registration

2. For regulation 4(1) of the principal Regulations there shall be substituted—

“(1) Subject to paragraph (1A) below, any registration effected before 1st April 1991 shall cease to have effect on 1st September 1993, and any registration effected on or after 1st April 1991 shall cease to have effect at the expiration of a period of three years beginning with the day on which the registration is effected.

(1A) Any registration of a bird for which—

(a) the immediately preceding registration ceased to have effect in accordance with paragraph (2)(a)(ii) below because the registered bird has escaped into the wild or in accordance with paragraph (2)(b) below,

(1) 1981 c. 69.
(2) S.I. 1982/1221.

- (b) the application for registration is made by the keeper who was the keeper of the bird when the immediately preceding registration ceased to have effect, and
- (c) the application for registration is made before the date on which the previous registration would have ceased to have effect but for the application of paragraph (2) below,

shall cease to have effect at the time at which the immediately preceding registration of that bird would have expired under paragraph (1) above had paragraph (2) below not applied.”

3. For regulation 4(2)(c) of the principal Regulations there shall be substituted—

“(c) when the registered bird is kept or possessed by or is under the control of a person other than its registered keeper, unless it is intended at the time when the bird begins to be so kept, possessed or controlled that it will be returned to its registered keeper within the specified period and the bird is so returned, and in this sub-paragraph “the specified period” means—

- (i) where the bird will not be kept continuously at its registered address, a period of 3 weeks, and
- (ii) where the bird will be kept continuously at its registered address, a period of 6 weeks;

(d) when the registered bird is kept or possessed by or is under the control of its registered keeper but ceases to be kept at its registered address, unless—

- (i) it is intended at the time when the bird ceases to be so kept that it will be returned to its registered address within 3 weeks and the bird is so returned, or
- (ii) the Secretary of State is notified in writing before the bird ceases to be so kept of the new address at which it will be kept and the date from which it will be so kept.

(3) In paragraph (2)(c) and (d) above, “registered keeper” in relation to a registered bird means the person who made the application in respect of which the bird is registered by the Secretary of State, and “registered address” means the address at which the bird was kept at the date of registration by the Secretary of State, or, if an address has been notified to the Secretary of State under paragraph (2)(d)(ii) above, the address so notified or last so notified.”

28th February 1991

Michael Heseltine
Secretary of State for the Environment

5th March 1991

David Hunt
Secretary of State for Wales

6th March 1991

James Douglas-Hamilton
Parliamentary Under Secretary of State, Scottish
Office

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Wildlife and Countryside (Registration and Ringing of Certain Captive Birds) Regulations 1982 (S.I.1982/1221) “the principal Regulations”.

Regulation 2 of these Regulations amends regulation 4(1) of the principal Regulations. It provides that a registration which was made before 1st April 1991 shall expire on 1st September 1993, and that any registration made on or after 1st April 1991 shall expire at the end of a period of three years from the date on which the registration was made. It further provides that certain re-registrations shall expire on the date the previous registration would have expired under regulation 4(1) but for the application of regulation 4(2) of the principal Regulations.

Regulation 3 amends the provisions of regulation 4(2) of the principal Regulations. It specifies the cases and circumstances in which a temporary or permanent change of circumstances in relation to a registered bird will not result in the expiry of the registration of that bird.