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STATUTORY INSTRUMENTS

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**1994 No. 1151**

**WILDLIFE**

**The Wildlife and Countryside Act 1981  
(Variation of Schedule 4) Order 1994**

*Made* - - - - 25th April 1994  
*Laid before Parliament* 3rd May 1994  
*Coming into force* - - 24th May 1994

The Secretary of State—

having given any local authority affected and any other person affected an opportunity to submit objections or representations with respect to the subject matter of this Order;

having consulted with the Joint Nature Conservation Committee, being the advisory body he considers is best able to advise him as to whether this Order should be made;

in exercise of the powers conferred on him by section 22(1) of the Wildlife and Countryside Act 1981(1), and of all other powers enabling him in that behalf, hereby makes the following Order:

**Citation and commencement**

1. This Order may be cited as the Wildlife and Countryside Act 1981 (Variation of Schedule 4) Order 1994 and shall come into force on 24th May 1994.

**Variation of Schedule**

2. The following birds are hereby removed from Schedule 4 to the Wildlife and Countryside Act 1981—

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<i>Common name</i>	<i>Scientific name</i>
Avocet	<i>Recurvirostra avosetta</i>
Bee-eater	<i>Merops apiaster</i>
Bittern	<i>Botaurus stellaris</i>
Bittern, Little	<i>Ixobrychus minutus</i>

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(1) 1981 c. 69.

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<i>Common name</i>	<i>Scientific name</i>
Bluethroat	Luscinia svecica
Corncrake	Crex crex
Crake, Spotted	Porzana porzana
Curlew, Stone	Burhinus oedicephalus
Divers (all species)	Gavia spp
Dotterel	Charadrius morinellus
Duck, Long-tailed	Clangula hyemalis
Falcons (all species except the following):	Falconidae (all species except the following):
Falcon, Barbary	Falco pelegrinoides
Falcon, Gyr	Falco rusticolus
Falcon, Peregrine	Falco peregrinus
Forest-Falcon, Plumbeous	Micrastur plumbeus
Hobby	Falco subbuteo
Kestrel, Lesser	Falco naumanni
Kestrel, Mauritius	Falco punctatus
Merlin	Falco columbarius
Godwit, Black-tailed	Limosa limosa
Grebe, Black-necked	Podiceps nigricollis
Grebe, Slavonian	Podiceps auritus
Greenshank	Tringa nebularia
Hawks, True (all species except the following):	Accipitridae (all species except the following):
Buzzard, Honey	Pernis apivorus
Eagle, Adalbert	Aquila adalberti
Eagle, Golden	Aquila chrysaetos
Eagle, Geat Philippine	Pithecophaga jefferyi
Eagle, Imperial	Aquila heliaca
Eagle, New Guinea	Harpyopsis novaeguineae
Eagle, White-tailed	Haliaeetus albicilla
Fish-Eagle, Madagascar	Haliaeetus vociferoides
Goshawk	Accipiter gentilis
Harrier, Hen	Circus cyaneus
Harrier, Marsh	Circus aeruginosus
Harrier, Montagu	Circus pygargus
Hawk, Galapagos	Buteo galapagoensis

<i>Common name</i>	<i>Scientific name</i>
Hawk, Grey-backed	<i>Leucopternis occidentalis</i>
Hawk, Hawaiian	<i>Buteo solitarius</i>
Hawk, Ridgway	<i>Buteo ridgwayi</i>
Hawk, White-necked	<i>Leucopternis lacernulata</i>
Hawk-Eagle, Wallace	<i>Spizaetus nanus</i>
Honey-Buzzard, Black	<i>Henicopernis infuscatus</i>
Kite, Red	<i>Milvus milvus</i>
Sea-Eagle, Pallas	<i>Haliaeetus leucoryphus</i>
Sea-Eagle, Steller	<i>Haliaeetus pelagicus</i>
Serpent-Eagle, Andaman	<i>Spilornis elgini</i>
Serpent-Eagle, Madagascar	<i>Eutriorchis astur</i>
Serpent-Eagle, Mountain	<i>Spilornis kinabaluensis</i>
Sparrowhawk, Gundlach	<i>Accipiter gundlachi</i>
Sparrowhawk, Imitator	<i>Accipiter imitator</i>
Sparrowhawk, New Britain	<i>Accipiter brachyurus</i>
Sparrowhawk, Small)	<i>Accipiter nanus)</i>
Hoopoe	<i>Upupa epops</i>
Kingfisher	<i>Alcedo atthis</i>
Petrel, Leach's	<i>Oceanodroma leucorhoa</i>
Phalarope, Red-necked	<i>Phalaropus lobatus</i>
Plover, Kentish	<i>Charadrius alexandrinus</i>
Plover, Little-ringed	<i>Charadrius dubius</i>
Quail, Common	<i>Coturnix coturnix</i>
Rosefinch, Scarlet	<i>Carpodacus erythrinus</i>
Ruff	<i>Philomachus pugnax</i>
Sandpiper, Green	<i>Tringa ochropus</i>
Sandpiper, Purple	<i>Calidris maritima</i>
Sandpiper, Wood	<i>Tringa glareola</i>
Scoter, Common	<i>Melanitta nigra</i>
Scoter, Velvet	<i>Melanitta fusca</i>
Spoonbill	<i>Platalea leucorodia</i>
Stilt, Black-winged	<i>Himantopus himantopus</i>
Stint, Temminck	<i>Calidris temminckii</i>
Tern, Black	<i>Chlidonias niger</i>

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<i>Common name</i>	<i>Scientific name</i>
Tern, Little	<i>Sterna albifrons</i>
Tern, Roseate	<i>Sterna dougallii</i>
Treecreeper, Short-toed	<i>Certhia brachydactyla</i>
Whimbrel	<i>Numenius phaeopus</i>

3. In Schedule 4 to the Wildlife and Countryside Act 1981, at the end of the list of birds there shall be inserted—

“Any bird one of whose parents or other lineal ancestor was a bird of a kind specified in the foregoing provisions of this Schedule.”

Signed by authority of the Secretary of State

25th April 1994

*Robert Atkins*  
Minister of State  
Department of the Environment

## EXPLANATORY NOTE

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

Section 7 of the Wildlife and Countryside Act 1981 (“the Act”), together with regulations made under that section, provide for the registration and ringing of captive birds included in Schedule 4 to the Act.

Article 2 of this Order removes the birds listed in that Article from Schedule 4 to the Act and Article 3 adds to that Schedule hybrids of birds specified in that Schedule.

From the coming into force of this Order the birds included in Schedule 4 to the Act will be—

<i>Common name</i>	<i>Scientific name</i>
Bunting, Cirl	<i>Emberiza circlus</i>
Bunting, Lapland	<i>Calcarius lapponicus</i>
Bunting, Snow	<i>Plectrophenax nivalis</i>
Buzzard, Honey	<i>Pernis apivorus</i>
Eagle, Adalbert's	<i>Aquila adalberti</i>
Eagle, Golden	<i>Aquila chrysaetos</i>
Eagle, Great Philippine	<i>Pithecophaga jefferyi</i>
Eagle, Imperial	<i>Aquila heliaca</i>
Eagle, New Guinea	<i>Harpyopsis novaeguineae</i>
Eagle, White-tailed	<i>Haliaeetus albicilla</i>
Chough	<i>Pyrrhocorax pyrrhocorax</i>
Crossbills (all species)	<i>Loxia</i> spp
Falcon, Barbary	<i>Falco pelegrinoides</i>
Falcon, Gyr	<i>Falco rusticolus</i>
Falcon, Peregrine	<i>Falco peregrinus</i>
Fieldfare	<i>Turdus pilaris</i>
Firecrest	<i>Regulus ignicapillus</i>
Fish-Eagle, Madagascar	<i>Haliaeetus vociferoides</i>
Forest-Falcon, Plumbeous	<i>Micrastur plumbeus</i>
Goshawk	<i>Accipiter gentilis</i>
Harrier, Hen	<i>Circus cyaneus</i>
Harrier, Marsh	<i>Circus aeruginosus</i>
Harrier, Montagu	<i>Circus pygargus</i>
Hawk, Galapagos	<i>Buteo galapagoensis</i>

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Hawk, Hawaiian	Buteo solitarius
Hawk, Ridgway	Buteo ridgwayi
Hawk, White-necked	Leucopternis lacernulata
Hawk-Eagle, Wallace	Spizaetus nanus
Hobby	Falco subbuteo
Common name	Scientific name
Honey-Buzzard, Black	Henicopernis infuscatus
Kestrel, Lesser	Falco naumanni
Kestrel, Mauritius	Falco punctatus
Kite, Red	Milvus milvus
Merlin	Falco columbarius
Oriole, Golden	Oriolus oriolus
Osprey	Pandion haliaetus
Redstart, Black	Phoenicurus ochruros
Redwing	Turdus iliacus
Sea-Eagle, Pallas	Haliaeetus leucoryphus
Sea-Eagle, Stellers	Haliaeetus pelagicus
Serin	Serinus serinus
Serpent-Eagle, Andaman	Spilornis elgini
Serpent-Eagle, Madagascar	Eutriorchis astur
Serpent-Eagle, Mountain	Spilornis kinabaluensis
Shorelark	Eremophila alpestris
Shrike, Red-backed	Lanius collurio
Sparrowhawk, New Britain	Accipiter brachyurus
Sparrowhawk, Gundlach's	Accipiter gundlachi
Sparrowhawk, Imitator	Accipiter imitator
Sparrowhawk, Small	Accipiter nanus
Tit, Bearded	Panurus biarmicus
Tit, Crested	Parus cristatus
Warbler, Cetti	Cettia cetti
Warbler, Dartford	Sylvia undata
Warbler, Marsh	Acrocephalus palustris
Warbler, Savi	Locustella luscinioides

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<i>Common name</i>	<i>Scientific name</i>
Woodlark	Lullula arborea
Wryneck	Jynx torquilla

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Any bird one of whose parents or other lineal ancestor was a bird of a kind specified in the above list.