
STATUTORY INSTRUMENTS

1995 No. 2825

**The Wildlife and Countryside Act
1981 (Amendment) Regulations 1995**

Amendments of section 16

- 3.—**(1) Section 16 of the Act (power to grant licences) shall be amended as follows.
- (2) In subsection (1)—
- (a) for paragraph (a) there shall be substituted the following paragraph—
“**(a)** for scientific, research or educational purposes;”;
 - (b) after paragraph (c) there shall be inserted the following paragraphs—
“**(ca)** for the purposes of the re-population of an area with, or the re-introduction into an area of, wild birds, including any breeding necessary for those purposes;
(cb) for the purpose of conserving flora or fauna;”;
 - (c) in paragraph (k), for the words “or fisheries” there shall be substituted the words “, fisheries or inland waters”.
- (3) After that subsection there shall be inserted the following subsection—
- “**(1A)** The appropriate authority—
- (a) shall not grant a licence for any purpose mentioned in subsection (1) unless it is satisfied that, as regards that purpose, there is no other satisfactory solution; and
 - (b) shall not grant a licence for any purpose mentioned in paragraphs (e) to (h) of that subsection otherwise than on a selective basis and in respect of a small number of birds.”
- (4) In subsection (5), for the words “subsection (6)” there shall be substituted the words “subsections (5A) and (6)”.
- (5) After that subsection there shall be inserted the following subsection—
- “**(5A)** A licence under subsection (1) which authorises any action in respect of wild birds—
- (a) shall specify the species of wild birds in respect of which, the circumstances in which, and the conditions subject to which, the action may be taken;
 - (b) shall specify the methods, means or arrangements which are authorised or required for the taking of the action; and
 - (c) subject to subsection (5)(d), shall be valid for the period, not exceeding two years, stated in the licence.”
- (6) In subsection (6), for the words “(1), (2) or (3)” there shall be substituted the words “(2) or (3)”.
- (7) In subsection (9), in paragraph (a), for the words “paragraph (a), (b), or (c)” there shall be substituted the words “any of paragraphs (a) to (cb)”.
- (8) After that subsection there shall be inserted the following subsection—

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

“(9A) In this section “re-population” and “re-introduction”, in relation to wild birds, have the same meaning as in the Directive of the Council of the European Communities dated 2nd April 1979 (No. [79/409/EEC](#)) on the conservation of wild birds.”