

STATUTORY INSTRUMENTS

**1998 No. 878**

**The Wildlife and Countryside Act 1981  
(Variation of Schedules 5 and 8) Order 1998**

**Variation of Schedule 5**

2.—(1) The following animals are hereby added to Schedule 5 to the Act(1):

| <i>Common Name</i>   | <i>Scientific Name</i>         |
|--|--------------------------------|
| Beetle, Stag (in respect of section 9(5) only)             | <i>Lucanus cervus</i>          |
| Damselfly, Southern  | <i>Coenagrion mercuriale</i>   |
| Goby, Couch's  | <i>Gobius couchii</i>          |
| Goby, Giant  | <i>Gobius cobitis</i>          |
| Hydroid, Marine  | <i>Clavopsella navis</i>       |
| Moth, Fiery Clearwing                                      | <i>Bembecia chrysidiformis</i> |
| Moth, Fisher's Estuarine                                   | <i>Gortyna borelii</i>         |
| Mussel, Fan (in respect of section 9(1), (2) and (5) only) | <i>Atrina fragilis</i>         |
| Shad, Twaite (in respect of section 9(4)(a) only)          | <i>Alosa fallax</i>            |
| Shark, Basking   | <i>Cetorhinus maximus</i>      |
| Vole, Water (in respect of section 9(4) only)              | <i>Arvicola terrestris</i>     |

(2) The following entries are hereby added to Schedule 5 to the Act in substitution for the existing entries relating to Allis Shad (*Alosa alosa*)(2); Butterfly, Large Copper (*Lycaena dispar*); Butterfly, Marsh Fritillary (*Eurodryas aurinia*)(3); Mussel, Freshwater Pearl (*Margaritifera margaritifera*)(4):

| <i>Common Name</i>                                      | <i>Scientific Name</i>             |
|---|------------------------------------|
| Allis Shad (in respect of section 9(1) and (4)(a) only) | <i>Alosa alosa</i>                 |
| Butterfly, Large Copper                                 | <i>Lycaena dispar</i>              |
| Butterfly, Marsh Fritillary                             | <i>Eurodryas aurinia</i>           |
| Mussel, Freshwater Pearl                                | <i>Margaritifera margaritifera</i> |

(1) Schedule 5 was varied by S.I.1988/288, 1989/906, 1991/367, 1992/2350.

(2) Allis Shad was added to Schedule 5, in respect of section 9(1) only, by S.I. 1991/367.

(3) Butterfly, Large Copper and Butterfly, Marsh Fritillary were added to Schedule 5, in respect of section 9(5) only, by S.I. 1989/906.

(4) Mussel, Freshwater Pearl was added to Schedule 5, in respect of section 9(1) so far as it relates to killing and injuring, by S.I. 1991/367.

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

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(3) The Moth, Vipers Bugloss (*Hadena irregularis*)(**5**) is hereby removed from Schedule 5 to the Act.

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(**5**) Moth, Vipers Bugloss was added to Schedule 5 by S.I. 1988/288.