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WELSH STATUTORY INSTRUMENTS

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**2020 No. 272 (W. 64)**

**WILDLIFE, WALES**

The Wildlife and Countryside Act 1981  
(Variation of Schedule 2) (Wales) Order 2020

*Made* - - - - 10 March 2020  
*Laid before the National*  
*Assembly for Wales* - - 11 March 2020  
*Coming into force in accordance with article 1*

The Welsh Ministers make the following Order in exercise of the powers conferred by section 22(1) of the Wildlife and Countryside Act 1981(1).

For the purposes of section 26(4)(a) of that Act, the Welsh Ministers do not consider any local authority to be affected by this Order. In accordance with that section, the Welsh Ministers have given any other person affected an opportunity to submit objections or representations with respect to the subject matter of this Order.

In accordance with section 26(4)(b) of that Act, the Welsh Ministers have consulted the Joint Nature Conservation Committee, and the Natural Resources Body for Wales, being the advisory bodies(2) that the Welsh Ministers consider are best able to advise them whether this Order should be made.

**Title and commencement**

1. The title of this Order is the Wildlife and Countryside Act 1981 (Variation of Schedule 2) (Wales) Order 2020, and it comes into force 21 days after the date it was laid.

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- (1) 1981 c. 69. Section 22(1) was amended by section 47(5) of the Natural Environment and Rural Communities Act 2006 (c. 16). The functions of the Secretary of State under section 22(1) were, so far as exercisable in relation to Wales, transferred to the National Assembly for Wales by article 2 of, and Schedule 1 to, the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672). Those functions were subsequently transferred to the Welsh Ministers by section 162 of, and paragraph 30 of Schedule 11 to, the Government of Wales Act 2006 (c. 32).
- (2) See the definition of “advisory body” in sections 23(3) and 27(1) of the Wildlife and Countryside Act 1981. The Joint Nature Conservation Committee was established under section 128(4) of the Environmental Protection Act 1990 (c. 43) and continues in existence (albeit reconstituted) under section 31 of the Natural Environment and Rural Communities Act 2006. The Countryside Council for Wales was abolished, and all of its functions were transferred to the Natural Resources Body for Wales, by the Natural Resources Body for Wales (Functions) Order 2013 (W.S.I. 2013/755 (W.90)). The Natural Resources Body for Wales was created by the Natural Resources Body for Wales (Establishment) Order 2012 (W.S.I. 2012/1903 (W. 230)) as amended by W.S.I. 2013/755 (W.90).

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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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## Variation of Schedule 2

2. In Schedule 2 to the Wildlife and Countryside Act 1981 (birds which may be killed or taken) in Part 1 (outside the close season) —

- (a) in column 1, after “except” omit “, in England,”;
- (b) in column 2, after “except” omit “, in England,”.

10 March 2020

*Lesley Griffiths*  
Minister for Environment, Energy and Rural  
Affairs, one of the Welsh Ministers

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## EXPLANATORY NOTE

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

This Order amends Schedule 2 to the Wildlife and Countryside Act 1981 (“the Act”).

Part 1 of that Schedule lists the birds that may be killed or taken outside the close season. The close season is defined in section 2(4) of the Act.

Article 2 of this Order amends the entry for White-fronted Goose (*Anser Albifrons*) in Part 1 of Schedule 2 to the Act, so that Greenland White-fronted Goose are exempt from that Schedule. The effect of this amendment is to make it an offence in Wales (under section 1 of the Act) to kill or take (or to injure in the course of an attempt to kill) Greenland White-fronted Goose outside the close season for White-fronted Goose.

The Welsh Ministers’ Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to this Order. As a result, a regulatory impact assessment has been prepared as to the likely costs and benefits of complying with these Regulations. A copy can be obtained from the Welsh Government (Land, Nature, and Forestry Division), Rhodfa Padarn, Llanbadarn Fawr, Aberystwyth, Ceredigion, SY23 3UR.