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STATUTORY INSTRUMENTS

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**1985 No. 171**

**The Wildlife (Northern Ireland) Order 1985**

**PART I**

Introductory

***General interpretation***

2.—(1) The Interpretation Act (Northern Ireland) 1954 shall apply to Article 1 and the following provisions of this Order as it applies to a Measure of the Northern Ireland Assembly.

(2) In this Order—

“ammunition” has the same meaning as in the Firearms (Northern Ireland) Order<sup>[F1 2004]</sup>;

“Committee for Nature Conservation” means the Committee established under Article 5 of the Nature Conservation and Amenity Lands (Northern Ireland) Order 1985;

“deer”, except where otherwise provided, means deer of any species and their hybrids, and includes those on enclosed land where deer not in the wild state are usually kept;

“the Department” means the Department of the Environment;

“destroy”, in relation to an egg, includes doing anything to the egg which is calculated to prevent it from hatching;

“firearm” has the same meaning as in the Firearms (Northern Ireland) Order<sup>[F1 2004]</sup>;

“game” means any hare or game-bird and includes deer;

“game-bird” means any pheasant, partridge (including chukar partridge and red-legged partridge), woodcock, snipe or red grouse;

<sup>[F2</sup>“inland waters” has the meaning given in Article 2(2) of the Water and Sewerage Services (Northern Ireland) Order 2006;]

“pick”, in relation to a plant, means gather or pluck any part of the plant without uprooting it;

“poultry” means domestic fowls, turkeys, geese, ducks, guinea-fowls, pigeons and quails;

“sale” includes barter and exchange, and any other transaction by which anything is disposed of for value;

“uproot”, in relation to a plant, means dig up or otherwise remove the plant with its roots from the land on which it is growing;

“vehicle” includes any aircraft, hovercraft and boat;

“veterinary practitioner” means a person who is for the time being registered in the supplementary veterinary register;

“veterinary surgeon” means a person who is for the time being registered in the register of veterinary surgeons;

“wild animal” means, subject to paragraph (3), any animal (other than a bird) which is or (before it was killed or taken) was living wild;

“wild bird” means, subject to paragraph (4), any bird of a [<sup>F3</sup>species] which is ordinarily resident in or is a visitor to [<sup>F4</sup>the United Kingdom or][<sup>F3</sup>the European territory of any Member State] in a wild state but does not include poultry [<sup>F5</sup>or any game bird];

“wild plant” means any plant [<sup>F6</sup>(including fungi)] which is or (before it was picked, removed, uprooted or destroyed) was growing wild and is of a kind which ordinarily grows in Northern Ireland in a wild state.

(3) <sup>F7</sup>.....

(4) In Articles 6 and 16 and, in so far as they have effect in relation to those Articles, in Articles 17 and 18 and Part IV, any reference to a wild bird includes a reference to a game-bird.

(5) In this Order any reference to any part of Northern Ireland includes, unless the context otherwise requires, a reference to the territorial waters adjacent to that part.

(6) Any reference in this Order to an animal of any kind includes, unless the context otherwise requires, a reference to an egg, larva, pupa, or other immature stage of an animal of the kind.

(7) Nothing in this Order shall make unlawful anything done under the Diseases of Animals (Northern Ireland) Order 1981.

<b>F1</b>	2004 NI 3
<b>F2</b>	Art. 2(2): definition of "inland waters" inserted (17.8.2011) by <i>Wildlife and Natural Environment Act (Northern Ireland) 2011</i> (c. 15), ss. 39(1), 40(1), <b>Sch. 2 para. 5(2)</b> ; S.R. 2011/285, <b>art. 2</b> , Sch.
<b>F3</b>	SR 2004/435
<b>F4</b>	Words in art. 2(2) inserted (31.12.2020) by <i>The Conservation (Natural Habitats, etc.) (Amendment) (Northern Ireland) (EU Exit) Regulations 2019</i> (S.I. 2019/582), regs. 1(1), 2; 2020 c. 1, Sch. 5 para. 1(1)
<b>F5</b>	Art. 2(2): words in definition of "wild bird" added (17.8.2011) by <i>Wildlife and Natural Environment Act (Northern Ireland) 2011</i> (c. 15), ss. 39(1), 40(1), <b>Sch. 2 para. 5(3)</b> ; S.R. 2011/285, <b>art. 2</b> , Sch.
<b>F6</b>	Art. 2(2): words in definition of "wild plant" inserted (17.8.2011) by <i>Wildlife and Natural Environment Act (Northern Ireland) 2011</i> (c. 15), <b>ss. 12(3)</b> , 40(1); S.R. 2011/285, <b>art. 2</b> , Sch.
<b>F7</b>	Art. 2(3) repealed (17.8.2011) by <i>Wildlife and Natural Environment Act (Northern Ireland) 2011</i> (c. 15), ss. 39, 40(1), Sch. 2 para. 5(4), <b>Sch. 3 Pt. 1</b> ; S.R. 2011/285, <b>art. 2</b> , Sch.

**Changes to legislation:**

There are currently no known outstanding effects for the The Wildlife (Northern Ireland) Order 1985, Section 2.