

## EXPLANATORY NOTE

*(This note does not form part of the Order, but is intended to indicate its general purport.)*

This Order makes further provision for the marking of bovine animals for the purposes of the eradication of tuberculosis in cattle and prohibits the transfer of ear tags or tattoo numbers from one animal to another.

1960. No. 173

[NC]

## WILD BIRDS—CLASSIFICATION

ORDER, DATED 10TH NOVEMBER, 1960, MADE BY THE MINISTER OF HOME AFFAIRS UNDER SECTIONS FIVE AND SIXTEEN OF THE WILD BIRDS PROTECTION ACT (NORTHERN IRELAND), 1931.

Whereas by section five of the Wild Birds Protection Act (Northern Ireland), 1931(a), (hereinafter referred to as "the Act"), it is provided that the Minister of Home Affairs may by Order alter the classification of any bird from one category under the Act to another:

And whereas representations have been made to me, the Right Honourable Brian Faulkner, Minister of Home Affairs, that Coot, Heron and Moorhen should be transferred from Category III to Category II:

And whereas notice was duly given by me on the twenty-fourth day of June, 1960, in accordance with the provisions of sub-section (6) of section sixteen of the Act of my intention to make such an Order and the purport thereof:

And whereas no objections were received by me to the making of such an Order:

And whereas it is expedient that certain orders heretofore made under section five and paragraph (a) of sub-section (1) of section sixteen of the Act altering the classification of certain birds and varying the time of special protection should be consolidated.

Now, therefore, I, the Right Honourable Brian Faulkner, Minister of Home Affairs, in exercise of the powers conferred on me by sections five and sixteen of the Act and of all other powers enabling me hereby order as follows:—

*Citation and commencement*

1. This Order may be cited as the Wild Birds Protection (Classification) Order (Northern Ireland), 1960, and shall come into operation on the 1st December, 1960.

*Reclassification of Coot, Heron and Moorhen*

2. That Coot, Heron and Moorhen shall be classified under the Act as being in Category II and their eggs and nests shall be specially protected at all times.

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(a) 21 & 22 Geo. 5. c. 14 (N.I.).

*Consolidation*

3. The classification of birds for the purposes of the Wild Birds Protection Acts (Northern Ireland), 1931 and 1950, and the time of special protection afforded to birds shall be as set out in the Schedule.

*Revocation*

4. The following Orders are hereby revoked:—

- (a) Order dated the 20th March, 1935 (S.R. & O. (N.I.) 1935, No. 46.)
- (b) Order dated the 9th February, 1937 (S.R. & O. (N.I.) 1937, No. 11.)
- (c) Order dated the 26th July, 1943 (S.R. & O. (N.I.) 1943, No. 88.)
- (d) Order dated the 8th August, 1951 (S.R. & O. (N.I.) 1951, No. 140.)
- (e) Order dated the 8th August, 1951 (S.R. & O. (N.I.) 1951, No. 141.)

Dated this 10th day of November, 1960.

*Brian Faulkner,*  
Minister of Home Affairs.

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**SCHEDULE**

**PART I**

**Birds in Category I**

All birds, their eggs and nests, shall be specially protected at all times, except the following birds, their eggs and nests:—

Rook	Wood Pigeon
Jackdaw	Sparrow Hawk
Hooded Crow	Great Black-backed Gull
Starling	Lesser Black-backed Gull
Magpie	Cormorant
Irish Jay	Blackheaded Gull
House Sparrow	Herring Gull
Bullfinch	Shag
Mute Swan	

and also except the birds classified under Parts II and III of this Schedule.

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**PART II**

**Birds in Category II**

The following birds shall be specially protected at all times, except when it is necessary for the owner or occupier of any land, or a person belonging to his household or in his service or authorised in writing signed by him to act on his behalf for the purpose of protecting the owner's or occupier's crops or property from damage, to kill or take these birds on the land of the owner or occupier; and the eggs and nests of these birds shall be specially protected at all times:—

Blackbird	Coot
Chaffinch	Heron
Greenfinch	Moorhen