

1963. No. 223

As these Regulations have been classified as local they are not printed at length in this volume. A summary is given in the List of Statutory Rules and Orders of a Local Character under the heading FISHERIES.

1963. No. 224

[NC]

WILD BIRDS—CLASSIFICATION

ORDER, DATED 29TH NOVEMBER, 1963, MADE BY THE MINISTER OF HOME AFFAIRS UNDER SECTIONS 5 AND 16 OF THE WILD BIRDS PROTECTION ACT (NORTHERN IRELAND) 1931.

Whereas it is provided by section 5 of the Wild Birds Protection Act (Northern Ireland) 1931(a) (hereinafter referred to as the "principal Act") 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 William Craig, Minister of Home Affairs for Northern Ireland, that special protection should be given to the Sparrowhawk and that the classification of Coot, Heron and Moorhen and of the Feral Pigeon should be altered:

And whereas in accordance with the provisions of section 16(6) of the principal Act notice of the proposal to make an Order and the purport thereof was duly given on the 27th September, 1963:

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

Now, therefore, I, the Right Honourable William Craig, Minister of Home Affairs for Northern Ireland, in exercise of the powers conferred on me by sections 5 and 16 of the Wild Birds Protection Act (Northern Ireland) 1931 and of all other powers enabling me in that behalf, hereby order and direct as follows, that is to say:—

Citation

1. This Order may be cited as the Wild Birds Protection (Classification) Order (Northern Ireland) 1963 and shall come into operation on the 2nd December, 1963.

Reclassification of Sparrowhawk, Coot, Heron, Moorhen and Feral Pigeon

2. That the Sparrowhawk shall be classified under the principal Act as being in Category I and the eggs and nests of such bird shall be deemed to be specially protected at all times.

3. That Coot, Heron and Moorhen shall be transferred from Category II to Category I of the First Schedule to the principal Act and shall be classified accordingly.

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

4. That the Feral Pigeon shall be transferred from Category I to Category II of the First Schedule to the principal Act and shall be classified accordingly.

Consolidation

5. 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

6. The Wild Birds Protection (Classification) Order (Northern Ireland) 1960(a) is hereby revoked.

Dated the 29th November, 1963.

Wm. Craig,
Minister of Home Affairs
for Northern Ireland.

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:—

Shag	Hooded/Carrion Crow
Cormorant	Rook
Mute Swan	Jackdaw
Great Black-backed Gull	Magpie
Lesser Black-backed Gull	Jay
Herring Gull	Starling
Black-headed Gull	Bullfinch
Wood Pigeon	House Sparrow

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

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:—

Feral Pigeon	Chaffinch
Blackbird	Greenfinch

PART III

Birds in Category III

The following birds shall be specially protected during the close season, that is, from 1st February to 31st August, and their eggs and nests shall be specially protected at all times:—

Swans (except Mute Swan)	Whimbrel
Geese (all species)(a)	Rock Dove
Ducks (all species)	Stock Dove
Golden Plover	Redshank
Grey Plover	Curlew

(a) Barnacle, Brent and Canada Geese, their eggs and nests, are specially protected at all times for a period of three years until 7th August, 1966. S.R. & O. (N.I.), 1963, No. 158.