



Wildlife and Countryside (Amendment) Act 1991

1991 CHAPTER 39

1 Amendment of section 5 of Wildlife and Countryside Act 1981

(1) Section 5 of the principal Act (prohibition of certain methods of killing or taking wild birds) shall be amended as follows.

(2) At the end of subsection (1)(d) “or” shall be omitted.

(3) At the end of subsection (1)(e) there shall be inserted—

“; or

(f) knowingly causes or permits to be done an act which is mentioned in the foregoing provisions of this subsection and which is not lawful under subsection (5).”.

(4) The following subsection shall be inserted after subsection (4)—

“(4A) In any proceedings under subsection (1)(f) relating to an act which is mentioned in subsection (1)(a) it shall be a defence to show that the article was set in position for the purpose of killing or taking, in the interests of public health, agriculture, forestry, fisheries or nature conservation, any wild animals which could be lawfully killed or taken by those means and that he took or caused to be taken all reasonable precautions to prevent injury thereby to wild birds.”.