
STATUTORY INSTRUMENTS

1994 No. 1151

WILDLIFE

**The Wildlife and Countryside Act 1981
(Variation of Schedule 4) Order 1994**

Made - - - - 25th April 1994
Laid before Parliament 3rd May 1994
Coming into force - - 24th May 1994

The Secretary of State—

having given any local authority affected and any other person affected an opportunity to submit objections or representations with respect to the subject matter of this Order;

having consulted with the Joint Nature Conservation Committee, being the advisory body he considers is best able to advise him as to whether this Order should be made;

in exercise of the powers conferred on him by section 22(1) of the Wildlife and Countryside Act 1981(1), and of all other powers enabling him in that behalf, hereby makes the following Order:

Citation and commencement

1. This Order may be cited as the Wildlife and Countryside Act 1981 (Variation of Schedule 4) Order 1994 and shall come into force on 24th May 1994.

Variation of Schedule

2. The following birds are hereby removed from Schedule 4 to the Wildlife and Countryside Act 1981—

| <i>Common name</i> | <i>Scientific name</i> |
|--------------------|-------------------------------|
| Avocet | <i>Recurvirostra avosetta</i> |
| Bee-eater | <i>Merops apiaster</i> |
| Bittern | <i>Botaurus stellaris</i> |
| Bittern, Little | <i>Ixobrychus minutus</i> |

(1) 1981 c. 69.

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| <i>Common name</i> | <i>Scientific name</i> |
|---|--|
| Bluethroat | Luscinia svecica |
| Corncrake | Crex crex |
| Crake, Spotted | Porzana porzana |
| Curlew, Stone | Burhinus oedicnemus |
| Divers (all species) | Gavia spp |
| Dotterel | Charadrius morinellus |
| Duck, Long-tailed | Clangula hyemalis |
| Falcons (all species except the following): | Falconidae (all species except the following): |
| Falcon, Barbary | Falco pelegrinoides |
| Falcon, Gyr | Falco rusticolus |
| Falcon, Peregrine | Falco peregrinus |
| Forest-Falcon, Plumbeous | Micrastur plumbeus |
| Hobby | Falco subbuteo |
| Kestrel, Lesser | Falco naumanni |
| Kestrel, Mauritius | Falco punctatus |
| Merlin | Falco columbarius |
| Godwit, Black-tailed | Limosa limosa |
| Grebe, Black-necked | Podiceps nigricollis |
| Grebe, Slavonian | Podiceps auritus |
| Greenshank | Tringa nebularia |
| Hawks, True (all species except the following): | Accipitridae (all species except the following): |
| Buzzard, Honey | Pernis apivorus |
| Eagle, Adalbert | Aquila adalberti |
| Eagle, Golden | Aquila chrysaetos |
| Eagle, Geat Philippine | Pithecophaga jefferyi |
| Eagle, Imperial | Aquila heliaca |
| Eagle, New Guinea | Harpyopsis novaeguineae |
| Eagle, White-tailed | Haliaeetus albicilla |
| Fish-Eagle, Madagascar | Haliaeetus vociferoides |
| Goshawk | Accipiter gentilis |
| Harrier, Hen | Circus cyaneus |
| Harrier, Marsh | Circus aeruginosus |
| Harrier, Montagu | Circus pygargus |
| Hawk, Galapagos | Buteo galapagoensis |

| <i>Common name</i> | <i>Scientific name</i> |
|---------------------------|---------------------------|
| Hawk, Grey-backed | Leucopternis occidentalis |
| Hawk, Hawaiian | Buteo solitarius |
| Hawk, Ridgway | Buteo ridgwayi |
| Hawk, White-necked | Leucopternis lacernulata |
| Hawk-Eagle, Wallace | Spizaetus nanus |
| Honey-Buzzard, Black | Henicopernis infuscatus |
| Kite, Red | Milvus milvus |
| Sea-Eagle, Pallas | Haliaeetus leucoryphus |
| Sea-Eagle, Steller | Haliaeetus pelagicus |
| Serpent-Eagle, Andaman | Spilornis elgini |
| Serpent-Eagle, Madagascar | Eutriorchis astur |
| Serpent-Eagle, Mountain | Spilornis kinabaluensis |
| Sparrowhawk, Gundlach | Accipiter gundlachi |
| Sparrowhawk, Imitator | Accipiter imitator |
| Sparrowhawk, New Britain | Accipiter brachyurus |
| Sparrowhawk, Small) | Accipiter nanus) |
| Hoopoe | Upupa epops |
| Kingfisher | Alcedo atthis |
| Petrel, Leach's | Oceanodroma leucorhoa |
| Phalarope, Red-necked | Phalaropus lobatus |
| Plover, Kentish | Charadrius alexandrinus |
| Plover, Little-ringed | Charadrius dubius |
| Quail, Common | Coturnix coturnix |
| Rosefinch, Scarlet | Carpodacus erythrinus |
| Ruff | Philomachus pugnax |
| Sandpiper, Green | Tringa ochropus |
| Sandpiper, Purple | Calidris maritima |
| Sandpiper, Wood | Tringa glareola |
| Scoter, Common | Melanitta nigra |
| Scoter, Velvet | Melanitta fusca |
| Spoonbill | Platalea leucorodia |
| Stilt, Black-winged | Himantopus himantopus |
| Stint, Temminck | Calidris temminckii |
| Tern, Black | Chlidonias niger |

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| <i>Common name</i> | <i>Scientific name</i> |
|-------------------------|------------------------------|
| Tern, Little | <i>Sterna albifrons</i> |
| Tern, Roseate | <i>Sterna dougallii</i> |
| Treecreeper, Short-toed | <i>Certhia brachydactyla</i> |
| Whimbrel | <i>Numenius phaeopus</i> |

3. In Schedule 4 to the Wildlife and Countryside Act 1981, at the end of the list of birds there shall be inserted—

“Any bird one of whose parents or other lineal ancestor was a bird of a kind specified in the foregoing provisions of this Schedule.”

Signed by authority of the Secretary of State

25th April 1994

Robert Atkins
Minister of State
Department of the Environment

EXPLANATORY NOTE

(This note is not part of the Order)

Section 7 of the Wildlife and Countryside Act 1981 (“the Act”), together with regulations made under that section, provide for the registration and ringing of captive birds included in Schedule 4 to the Act.

Article 2 of this Order removes the birds listed in that Article from Schedule 4 to the Act and Article 3 adds to that Schedule hybrids of birds specified in that Schedule.

From the coming into force of this Order the birds included in Schedule 4 to the Act will be—

| <i>Common name</i> | <i>Scientific name</i> |
|--------------------------|--------------------------------|
| Bunting, Cirl | <i>Emberiza circlus</i> |
| Bunting, Lapland | <i>Calcarius lapponicus</i> |
| Bunting, Snow | <i>Plectrophenax nivalis</i> |
| Buzzard, Honey | <i>Pernis apivorus</i> |
| Eagle, Adalbert's | <i>Aquila adalberti</i> |
| Eagle, Golden | <i>Aquila chrysaetos</i> |
| Eagle, Great Philippine | <i>Pithecophaga jefferyi</i> |
| Eagle, Imperial | <i>Aquila heliaca</i> |
| Eagle, New Guinea | <i>Harpyopsis novaeguineae</i> |
| Eagle, White-tailed | <i>Haliaeetus albicilla</i> |
| Chough | <i>Pyrrhocorax pyrrhocorax</i> |
| Crossbills (all species) | <i>Loxia</i> spp |
| Falcon, Barbary | <i>Falco pelegrinoides</i> |
| Falcon, Gyr | <i>Falco rusticolus</i> |
| Falcon, Peregrine | <i>Falco peregrinus</i> |
| Fieldfare | <i>Turdus pilaris</i> |
| Firecrest | <i>Regulus ignicapillus</i> |
| Fish-Eagle, Madagascar | <i>Haliaeetus vociferoides</i> |
| Forest-Falcon, Plumbeous | <i>Micrastur plumbeus</i> |
| Goshawk | <i>Accipiter gentilis</i> |
| Harrier, Hen | <i>Circus cyaneus</i> |
| Harrier, Marsh | <i>Circus aeruginosus</i> |
| Harrier, Montagu | <i>Circus pygargus</i> |
| Hawk, Galapagos | <i>Buteo galapagoensis</i> |

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| <i>Common name</i> | <i>Scientific name</i> |
|---------------------------|----------------------------------|
| Hawk, Grey-backed | <i>Leucopternis occidentalis</i> |
| Hawk, Hawaiian | <i>Buteo solitarius</i> |
| Hawk, Ridgway | <i>Buteo ridgwayi</i> |
| Hawk, White-necked | <i>Leucopternis lacernulata</i> |
| Hawk-Eagle, Wallace | <i>Spizaetus nanus</i> |
| Hobby | <i>Falco subbuteo</i> |
| Common name | Scientific name |
| Honey-Buzzard, Black | <i>Henicopernis infuscatus</i> |
| Kestrel, Lesser | <i>Falco naumanni</i> |
| Kestrel, Mauritius | <i>Falco punctatus</i> |
| Kite, Red | <i>Milvus milvus</i> |
| Merlin | <i>Falco columbarius</i> |
| Oriole, Golden | <i>Oriolus oriolus</i> |
| Osprey | <i>Pandion haliaetus</i> |
| Redstart, Black | <i>Phoenicurus ochruros</i> |
| Redwing | <i>Turdus iliacus</i> |
| Sea-Eagle, Pallas | <i>Haliaeetus leucoryphus</i> |
| Sea-Eagle, Stellers | <i>Haliaeetus pelagicus</i> |
| Serin | <i>Serinus serinus</i> |
| Serpent-Eagle, Andaman | <i>Spilornis elgini</i> |
| Serpent-Eagle, Madagascar | <i>Eutriorchis astur</i> |
| Serpent-Eagle, Mountain | <i>Spilornis kinabaluensis</i> |
| Shorelark | <i>Eremophila alpestris</i> |
| Shrike, Red-backed | <i>Lanius collurio</i> |
| Sparrowhawk, New Britain | <i>Accipiter brachyurus</i> |
| Sparrowhawk, Gundlach's | <i>Accipiter gundlachi</i> |
| Sparrowhawk, Imitator | <i>Accipiter imitator</i> |
| Sparrowhawk, Small | <i>Accipiter nanus</i> |
| Tit, Bearded | <i>Panurus biarmicus</i> |
| Tit, Crested | <i>Parus cristatus</i> |
| Warbler, Cetti | <i>Cettia cetti</i> |
| Warbler, Dartford | <i>Sylvia undata</i> |
| Warbler, Marsh | <i>Acrocephalus palustris</i> |
| Warbler, Savi | <i>Locustella luscinioides</i> |

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| <i>Common name</i> | <i>Scientific name</i> |
|--------------------|------------------------|
| Woodlark | Lullula arborea |
| Wryneck | Jynx torquilla |

Any bird one of whose parents or other lineal ancestor was a bird of a kind specified in the above list.