STATUTORY INSTRUMENTS

2017 No. 1213

WILDLIFE, ENGLAND AND WALES

The Ringing of Certain Captive-bred Birds (England and Wales) Regulations 2017

Made - - - -	*4th December 2017*
Laid before Parliament	*7th December 2017*
Laid before the National Assembly for Wales - -	*7th December 2017*
Coming into force - -	*28th December 2017*

The Secretary of State, in relation to England, and the Welsh Ministers, in relation to Wales, make these Regulations in exercise of the powers conferred on them by section 6(5)(b) and (5B) of the Wildlife and Countryside Act 1981(**1**).

Citation, commencement, extent and application

1.—(1) These Regulations may be cited as the Ringing of Certain Captive-bred Birds (England and Wales) Regulations 2017 and come into force on 28th December 2017.

(2) These Regulations extend to England and Wales and apply in respect of any bird included in Part 1 of Schedule 3 to the Wildlife and Countryside Act 1981 which—

(a) was bred in captivity, and

(b) has not been lawfully released into the wild as part of a re-population or re-introduction programme(**2**).

Ringing requirements

2.—(1) This regulation applies for the purpose of determining whether, for the purposes of section 6(5)(b) of the Wildlife and Countryside Act 1981, a bird is ringed in accordance with regulations.

(**1**) 1981 c. 69; section 6(5) (together with section 6(5A) and (5B)) was substituted by section 48(2) of the Natural Environment and Rural Communities Act 2006 (c. 16). By virtue of article 2 of, and Schedule 1 to, the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672) and section 162 of, and paragraph 30 of Schedule 11 to, the Government of Wales Act 2006 (c. 32), the functions of the Secretary of State in section 6(5)(b) of the Wildlife and Countryside Act 1981, so far as exercisable in relation to Wales, are now vested in the Welsh Ministers.

(**2**) Section 6(5A), as amended by S.I. 2007/1843, defines "re-population" and "re-introduction" for the purposes of section 6(5) of the Wildlife and Countryside Act 1981 (c. 69).

(2) Subject to paragraph (3), a bird is ringed in accordance with regulations if the following conditions are satisfied—

(a) at least one of the bird's legs is fitted with a ring by means of which the bird may be identified,

(b) the ring has no break or join,

(c) the ring has been commercially manufactured for the purpose of being fitted onto birds,

(d) the ring is no larger than the maximum ring size,

(e) the ring was obtained from a specified supplier on an application made by the keeper of the bird (or, where the bird had not yet hatched at the time of that application, the keeper of the egg which contains it), and

(f) the application for the ring included the following information—

(i) the age of the bird,

(ii) the sex of the bird (if known), and

(iii) details of the parents of the bird.

(3) A bird which is hatched outside England or Wales is ringed in accordance with regulations, notwithstanding that any of the conditions in paragraph (2)(d), (e) or (f) is not satisfied, if—

(a) in the case of a bird hatched in the European territory of any member State, it is ringed in accordance with—

(i) relevant provisions of the law of that territory implementing Directive 2009/147/EC of the European Parliament and of the Council on the conservation of wild birds(**3**), and

(ii) any other relevant provisions of the law of that territory;

(b) in the case of any other bird, it is ringed in accordance with any relevant provisions of the law of the territory where it was hatched.

(4) In this regulation—

"maximum ring size", in relation to a bird, means the ring size specified in relation to that bird in column (3) in the table in Schedule 1;

"regulations" means regulations made by the Secretary of State in relation to England and the Welsh Minsters in relation to Wales;

"relevant provisions" means provisions relating to the ringing of birds;

"specified supplier" means a supplier specified in Schedule 2.

Revocation and transitional provision

3.—(1) The Wildlife and Countryside (Ringing of Certain Birds) Regulations 1982(**4**) are revoked.

(2) Any bird which is ringed in accordance with the Wildlife and Countryside (Ringing of Certain Birds) Regulations 1982 before these Regulations come into force is to be treated as if ringed in accordance with these Regulations.

Review: England

4.—(1) The Secretary of State, in relation to England, must from time to time—

(**3**) OJ No. L 20, 26.1.2010, p. 7, as last amended by Council Directive 2013/17/EU (OJ No. L 158, 10.6.2013, p. 193).
(**4**) S.I. 1982/1220, amended by S.I. 1997/2971.