SCOTTISH STATUTORY INSTRUMENTS

2001 No. 337

WILDLIFE

The Wildlife and Countryside Act 1981 (Amendment) (Scotland) Regulations 2001

Made - - - -	*1st October 2001*
Laid before the Scottish Parliament - - - -	*2nd October 2001*
Coming into force - -	*4th November 2001*

The Scottish Ministers in exercise of the powers conferred by section 2(2) of the European Communities Act 1972(**1**) and of all other powers enabling them in that behalf, hereby make the following regulations:

Citation, commencement and extent

1.—(1) These Regulations may be cited as The Wildlife and Countryside Act 1981 (Amendment) (Scotland) Regulations 2001 and shall come into force on 4th November 2001.

(2) These Regulations extend to Scotland only.

Amendment of 1981 Act

2.—(1) The Wildlife and Countryside Act 1981(**2**) is amended as follows.

(2) In section 2(4)(a) omit "capercaillie and".

(3) In Part I of Schedule 1 (birds which are protected by special penalties)–

(a) in the first column, after "Buzzard, Honey", insert "Capercaillie"; and

(b) in the second column, after "Pernis apivorus", insert "Tetrao urogallus".

(4) In Part I of Schedule 2 (birds which may be killed or taken), in the first colum, omit "Capercaillie" and, in the second column, omit "*Tetrao urogallus*".

(5) In Part III of Schedule 3 (birds which may be sold), in the first column, omit "Capercaillie" and, in the second column, omit "*Tetrao urogallus*".

(**1**) 1972 c. 68; section 2(2) was amended by the Scotland Act 1998 (c. 46), Schedule 8, paragraph 15(3). The function conferred upon the Minister of the Crown under section 2(2) of the European Communities Act 1972, insofar as within devolved competence, was transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998.

(**2**) 1981 c. 69.