WELSH STATUTORY INSTRUMENTS

2009 No. 780 (W.68)

WILDLIFE, WALES

The Wildlife and Countryside Act 1981 (Variation of Schedule 4) (Wales) Order 2009

Made - - - -	*24 March 2009*
Laid before the National Assembly for Wales - -	*26 March 2009*
Coming into force - -	*23 April 2009*

For the purposes of section 26(4)(a) of the Wildlife and Countryside Act 1981(**1**) the Welsh Ministers consider that no local authority is affected by this Order.

The Welsh Ministers have —

(a) in accordance with that provision, given any other person affected an opportunity to submit objections or representations with respect to the subject matter of this Order;

(b) in accordance with section 26(4)(b) of the Wildlife and Countryside Act 1981, consulted with the Joint Nature Conservation Committee, being the advisory body(**2**) which the Welsh Ministers consider is best able to advise as to whether this Order should be made.

In exercise of the powers conferred by section 22(1) of the Wildlife and Countryside Act 1981(**3**), the Welsh Ministers(**4**) make the following Order:

Title, commencement and application

1. The title of this Order is the Wildlife and Countryside Act 1981 (Variation of Schedule 4) (Wales) Order 2009, it comes into force on the 23 April 2009 and applies in relation to Wales.

(**1**) 1981 c. 69.

(**2**) *See* the definition of "advisory body" in sections 23(3) and 27(1) of the Wildlife and Countryside Act 1981. The Joint Nature Conservation Committee was established under section 128(4) of the Environmental Protection Act 1990 (c. 43) and continues in existence (albeit reconstituted) under section 31 of the Natural Environment and Rural Communities Act 2006 (c. 16).

(**3**) Section 22(1) of the Wildlife and Countryside Act 1981 was amended by sections 47(1) and (5) of the Natural Environment and Rural Communities Act 2006.

(**4**) The powers of the Secretary of State under section 22(1) of the Wildlife and Countryside Act 1981 were transferred to the National Assembly for Wales by Article 2 of, and Schedule 1 to, the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672) and thereafter transferred to the Welsh Ministers by section 162 of, and paragraph 30 of Schedule 11 to the Government of Wales Act 2006 (c. 32).

Variation of Schedule 4

2.—(1) Schedule 4(**5**) to the Wildlife and Countryside Act 1981 (birds which must be registered and ringed if kept in captivity) is amended as follows.

(2) The following birds are omitted—

Common name	*Scientific name*
Bunting, Cirl	Emberiza cirlus
Bunting, Lapland	Calcarius lapponicus
Bunting, Snow	Plectrophenax nivalis
Eagle, Adalbert's	Aquila adalberti
Eagle, Great Philippine	Pithecophaga jefferyi
Eagle, Imperial	Aquila heliaca
Eagle, New Guinea	Harpyopsis novaeguineae
Chough	Pyrrhocorax pyrrhocorax
Crossbills (all species)	Loxia spp
Falcon, Barbary	Falco pelegrinoides
Falcon, Gyr	Falco rusticolus
Fieldfare	Turdus pilaris
Firecrest	Regulus ignicapillus
Fish-Eagle, Madagascar	Haliaeetus vociferoides
Forest-Falcon, Plumbeous	Micrastur plumbeus
Harrier, Hen	Circus cyaneus
Hawk, Galapagos	Buteo galapagoensis
Hawk, Grey-backed	Leucopternis occidentalis
Hawk, Hawaiian	Buteo solitarius
Hawk, Ridgway's	Buteo ridgwayi
Hawk, White-necked	Leucopternis lacernulata
Hawk-Eagle, Wallace's	Spizaetus nanus
Hobby	Falco subbuteo
Honey-Buzzard, Black	Henicopernis infuscatus
Kestrel, Lesser	Falco naumanni
Kestrel, Mauritius	Falco punctatus
Kite, Red	Milvus, milvus
Oriole, Golden	Oriolus, oriolus
Redstart, Black	Phoenicurus ochruros

(**5**) Schedule 4 was amended by the Wildlife and Countryside Act 1981 (Variation of Schedule 4) Order 1994 (S.I. 1994/1151).