1985 No. 285

WILDLIFE

Dead Wild Birds and Animals (Registration to Sell etc.) Regulations (Northern Ireland) 1985

Made	*21st October 1985*
Coming into operation . . .	*22nd November 1985*

The Department of the Environment in exercise of the powers conferred on it by Articles 7(2), (4) and (5) and 13(2) and (3) of the Wildlife (Northern Ireland) Order 1985(**a**) and of every other power enabling it in that behalf, hereby makes the following regulations:—

Citation and commencement

1. These regulations may be cited as the Dead Wild Birds and Animals (Registration to Sell etc.) Regulations (Northern Ireland) 1985 and shall come into operation on 22nd November 1985.

Interpretation

2.—(1) In these regulations—

"registered person" means a person registered in accordance with these regulations;

"the Order" means the Wildlife (Northern Ireland) Order 1985.

(2) Any reference in these regulations to a dead wild bird or dead wild animal to which these regulations apply is a reference to any dead wild bird or dead wild animal to which Article 7(2) or Article 13(2) respectively of the Order applies.

Registration

3.—(1) The Department shall maintain a register for the purposes of Article 7(2) and Article 13(2) of the Order.

(2) An application for registration shall be made by the person seeking registration on a form obtained from the Department.

4.—(1) Where any person becomes registered—

(*a*) within five years of his having been convicted of an offence under Part II of the Order for which a special penalty is provided; or

(*b*) within three years of his having been convicted of any other offence under the said Part II so far as it relates to the protection of birds or other animals or any offence involving their ill-treatment,

his registration shall be void; provided that no account shall be taken for this purpose of a conviction which has become spent by virtue of the Rehabilitation of Offenders (Northern Ireland) Order 1978(**b**).

(2) Where any registered person is convicted as mentioned in paragraph (1), his registration shall cease to have effect.

(3) Any person who has been convicted as mentioned in paragraph (1) (and whose

(**a**) S.I. 1985/171 (N.I. 2)
(**b**) S.I. 1978/1908 (N.I. 27)

conviction is not required by that paragraph to be left out of account) shall when applying for registration notify the Department of his conviction and supply details thereof.

(4) Any person—

(*a*) who has applied for registration (and whose application is still under consideration); or

(*b*) who is a registered person,

and who is convicted as mentioned in paragraph (1), shall immediately notify the Department of his conviction and supply details thereof.

5. Any registration effected under these regulations shall cease to have effect on the triennial anniversary of the date of the registration.

Obligations of registered persons

6. Any registered person who has in his possession any dead wild bird or dead wild animal to which these regulations apply shall maintain a record relating to such bird or animal in the form set out in Schedule 1.

7. Any registered person who has in his possession any dead wild bird or dead wild animal to which these regulations apply shall ensure that there is at all times affixed to the skin of the bird or animal a mark which enables that bird or animal to be identified by reference to the record required by regulation 6.

8. Any registered person who sells any dead wild bird or dead wild animal to which these regulations apply shall ensure that at the time of the sale there is affixed to the skin of the bird or animal a mark obtained from the Department:

Provided that where, for the purpose of display—

(*a*) the bird or animal is mounted in a sealed case, the mark shall instead of being affixed to the skin of the bird or animal be affixed in a visible position to the case;

(*b*) the bird or animal is mounted otherwise than as mentioned in paragraph (*a*), the mark shall instead of being affixed to the skin of the bird or animal be affixed in a visible position to the mount or base upon which the bird or animal is displayed;

and where two or more birds or animals are mounted together, the mark relating to each bird or animal shall be affixed as close as possible to the bird or animal to which it relates.

9. Any registered person who sells a dead wild bird or dead wild animal to which these regulations apply shall supply the Department with information relating to the sale in the form set out in Schedule 2.

10. Any registered person who effects a permanent change of address shall, within twenty-eight days of so doing, inform the Department of his new address.

Offences

11. Any person who, without reasonable excuse, contravenes the provisions of regulations 4(3) or (4), 6, 7, 8, 9 or 10 shall be guilty of an offence under Article 7 or 13 of the Order as the case may be.

Sealed with the Official Seal of the Department of the Environment on 21st October 1985.

(L.S.)

J. J. O. McClenahan
Assistant Secretary