1974. No. 260 **[NC]**

WILD BIRDS

Classification

ORDER, DATED 15TH OCTOBER 1974, MADE BY THE DEPARTMENT OF HOUSING, LOCAL GOVERNMENT AND PLANNING UNDER SECTIONS 5, 9B AND 16 OF THE WILD BIRDS PROTECTION ACTS (NORTHERN IRELAND) 1931 TO 1968.

WHEREAS under section 5 of the Wild Birds Protection Act (Northern Ireland) 1931(a) (hereinafter referred to as "the principal Act") the Minister of Home Affairs may by order alter the classification of any bird from one Category to another:

AND WHEREAS under section 9B of the principal Act as inserted by section 1 of the Wild Birds Protection Act (Northern Ireland) 1968(b) the Minister may grant licences for the destruction of those noxious birds which are specified in Part IV of the First Schedule to the principal Act and may by Order add any bird to or remove any bird from Part IV:

AND WHEREAS by the Ministries (Transfer of Functions) (No. 2) Order (Northern Ireland) 1972(c) the functions of the Ministry of Home Affairs under the Acts were transferred to the Ministry of Development from 1st November 1972:

AND WHEREAS by virtue of the Northern Ireland Constitution Act 1973(d), the Northern Ireland Constitution (Devolution) Order 1973(e), and the Departments (Transfer of Functions) Order (Northern Ireland) 1973(f) the name of the Ministry of Development was changed to the Department of Housing, Local Government and Planning:

AND WHEREAS in accordance with the provisions of sections 9B and 11 of the principal Act the Wild Birds Advisory Committee has been consulted regarding the proposal to make this Order:

AND WHEREAS in accordance with the provisions of section 16(6) of the principal Act notice of the proposal to make an order and the purport thereof was duly given on 23rd August 1974:

AND WHEREAS no objections were received to the making of such order:

NOW, THEREFORE, the Department of Housing, Local Government and Planning, in exercise of the powers conferred on it by sections 5, 9B and 16 of the principal Act as amended by the Wild Birds Protection Act (Northern Ireland) 1968, and by paragraph 2(1) and (2) of Schedule 1 to the Northern Ireland Act 1974(g) and of every other power enabling it in that behalf, hereby makes the following Order:

(a) 21 & 22 Geo. 5. c. 14 (N.I.).
(b) 1968. c. 5 (N.I.).
(c) S.R. & O. (N.I.) 1972, No. 252.
(d) 1973. c. 36.
(e) S.I. 1973, No. 2162.
(f) S.R. & O. (N.I.) 1973, No. 504.
(g) 1974. c. 28.

Citation

1. This Order may be cited as the Wild Birds Protection (Classification) Order (Northern Ireland) 1974.

Classification of wild birds

2. The classification of birds for the purposes of the Wild Birds Protection Acts (Northern Ireland) 1931 to 1968 shall be as set out in the Schedule.

Saving

3. Nothing in this Order shall affect Article 3 of the Wild Birds Protection Order (Northern Ireland) 1974(**h**) relating to the special protection of Barnacle, Brent and Canada Geese.

Revocation

4. The Wild Birds Protection (Classification) Order (Northern Ireland) 1963(**i**) is hereby revoked.

Sealed with the Official Seal of the Department of Housing, Local Government and Planning for Northern Ireland this 15th day of October 1974.

(L.S.)

D. J. Perham,
Assistant Secretary.

(**h**) S.R. (N.I.) 1974, No. 36.

(**i**) S.R. & O. (N.I.) 1963, No. 224.