



STATUTORY INSTRUMENTS.

**S.I. No. 166 of 2017**



EUROPEAN COMMUNITIES (WILDLIFE ACT, 1976) (AMENDMENT)  
REGULATIONS 2017.

EUROPEAN COMMUNITIES (WILDLIFE ACT, 1976) (AMENDMENT)  
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I, HEATHER HUMPHREYS, Minister for Arts, Heritage, Regional, Rural and Gaeltacht Affairs, in exercise of the powers conferred on me by section 3 of the European Communities Act 1972 (No. 27 of 1972) and for the purpose of giving further effect to Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 (which codifies Council Directive 79/409/EEC of 2 April 1979 (as amended)) and Council Directive 92/43/EEC of 21 May 1992 (as amended by Council Directive 97/62/EC of 27 October 1997, Regulation (EC) No. 1882/2003 of the European Parliament and of the Council of 29 September 2003, Council Directive 2006/105/EC of 20 November 2006 and as amended by Act of Accession of Austria, Sweden and Finland (adapted by Council Decision 95/1/EC, Euratom, ECSC), Act concerning the conditions of accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia, the Slovak Republic, and the Republic of Croatia and the adjustments to the Treaties on which the European Union is founded and as amended by the Corrigendum to that Directive) hereby make the following Regulations:

1. These Regulations may be cited as the European Communities (Wildlife Act, 1976) (Amendment) Regulations 2017.

2. In Regulation 3(1) (a) of the European Communities (Wildlife Act, 1976) (Amendment) Regulations 1986 (S.I. No. 254 of 1986) as amended by the European Communities (Wildlife Act, 1976) (Amendment) Regulations 1997 (S.I. No. 152 of 1997) insert the words “or otherwise interfered with” after the word “killed”.

3. In Regulation 3(1) (b) of the European Communities (Wildlife Act, 1976) (Amendment) Regulations 1986 (S.I. No. 254 of 1986) as amended by the European Communities (Wildlife Act, 1976) (Amendment) Regulations 1997 (S.I. No. 152 of 1997) insert the words “or otherwise interfered with” after the word “killed”.

4. The European Communities (Wildlife Act, 1976) (Amendment) Regulations 1986 (S.I. No. 254 of 1986) are amended by inserting the following after Regulation 6(2):

“(3) In these Regulations the word capture shall be construed to include the taking, damaging or destruction of nests or eggs”

*Notice of the making of this Statutory Instrument was published in  
“Iris Oifigiúil” of 2nd May, 2017.*

5. The Second Schedule of the European Communities (Wildlife Act, 1976) (Amendment) Regulations 1986 (S.I. No. 254 of 1986) as amended by the European Communities (Wildlife Act, 1976) (Amendment) Regulations 1997 (S.I. No. 152 of 1997) is hereby replaced with the following:

“SECOND SCHEDULE

Shooting with rifle or shotgun.

The taking, damaging or destruction of nests or eggs.

Non-meat based poisoned or anaesthetic bait.

Cage traps with or without live decoys.

Traps, snares or nets approved under the Wildlife Act 1976 (Approved Traps, Snares and Nets) Regulations 1977 (S.I. No. 307 of 1977).”.



GIVEN under my Official Seal  
26 April 2017.

HEATHER HUMPHREYS,  
Minister for Arts, Heritage, Regional, Rural and Gaeltacht  
Affairs.

EXPLANATORY NOTE.

*(This note is not part of the Instrument and does not purport to be a legal interpretation.)*

These Regulations amend the Second Schedule of the European Communities (Wildlife Act, 1976) (Amendment) Regulations 1986 by the inclusion of additional means, arrangements or methods allowing for the capture or killing of, or interference with, any or all of the species of wild birds mentioned in the First Schedule.

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