

S.I. No. 235/1979 — Wildlife Act, 1976 (Control of Export of Fauna) Regulations, 1979.

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WILDLIFE ACT, 1976 (CONTROL OF EXPORT OF FAUNA) REGULATIONS,
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I, BRIAN LENIHAN, Minister for Fisheries and Forestry, in exercise of the powers conferred on me by section 53 of the Wildlife Act, 1976 (No. 39 of 1976) (as adapted by the Fisheries (Alteration of Name of Department and Title of Minister) Order, 1978 (S.I. No. 195 of 1978)), hereby make the following regulations:—

1. These Regulations may be cited as the Wildlife Act, 1976 (Control of Export of Fauna) Regulations, 1979.

2. These Regulations shall come into operation on the 7th day of August, 1979.

3. In these Regulations—

"the Act" means the Wildlife Act, 1976 (No. 39 of 1976);

"game" has the same meaning as in section 44 of the Act;

"hunting licence" means a licence granted by the Minister under section 29 (2) of the Act;

"the Minister" means the Minister for Fisheries and Forestry.

4. Subject to Regulation 5 of these Regulations, the export of any of the following is hereby prohibited save under and in accordance with a licence granted in that behalf by or on behalf of the Minister, namely:

WILD BIRDS.

- (*a*) any protected wild bird of any species other than a carrier pigeon or a racing homing pigeon,
- (*b*) the dead body or carcase of any such bird,
- (*c*) the eggs (whether whole or blown) or the feathers of any such bird,
- (*d*) any stuffed specimen of any such bird,

WILD ANIMALS.

- (*e*) any protected wild animal which is of any species of fauna mentioned in the Fifth Schedule to the Act,
- (*f*) the dead body or carcase of any such animal,
- (*g*) any stuffed specimen of either any such animal or any part of any such animal,
- (*h*) the skull, antlers or teeth of any deer,
- (*i*) the eggs or spawn of the natterjack toad,
- (*j*) the skin or fur, or any piece or cutting (including the head, tail or paw) of any skin or fur, or any article of wearing apparel or any rug or cover made wholly or partly of any skin or fur, of any badger, deer, fox, otter, pine marten, red squirrel or seal.

5. Regulation 4 of these Regulations shall not apply to—

- (*a*) the export by a person ordinarily resident outside the State of specimens of game which an officer of the Custom and Excise is satisfied—
 - (i) have been shot and killed by that person under and in accordance with a valid hunting licence, and
 - (ii) are not being exported in the course of a business,
- (*b*) the export by a person of any article of wearing apparel made wholly or partly of any skin or fur of any of the species specified in paragraph (*j*) of the said Regulation 4 where such article forms part of the baggage of such person and is shown to the satisfaction of an officer of the Custom and Excise to be a personal effect of such person.

GIVEN under my Official Seal, this 6th day of July, 1979.

BRIAN LENIHAN,

Minister for Fisheries

and Forestry.

EXPLANATORY NOTE.

The effect of these Regulations is to prohibit the export, except under licence from the Minister for Fisheries and Forestry, of certain specified wild birds and wild animals live or dead (including game species) and specified parts or products of certain wild birds and wild animals. Nothing in the Regulations restricts, prejudices or affects the Live Pigeons (Prohibition of Export) Order, 1971 (S.I. No. 138 of 1971) which prohibits the export, except under licence from the Minister for Agriculture, of live pigeons to places other than Northern Ireland.

The Partridge, Pheasant and Grouse (Regulation of Export) Order, 1962 (S.I. No. 151 of 1962) relating to the prohibition on export, except under licence from the Minister for Agriculture, of those three species of game birds is revoked as from 7th August, 1979.

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