

L.N. 133 of 2016**ENVIRONMENT AND DEVELOPMENT PLANNING ACT
(CAP. 504)****Protection of Wild Rabbit (Amendment) Regulations, 2016**

BY VIRTUE of the powers conferred by articles 61 and 62 of the Environment and Development Planning Act, the Minister for Sustainable Development, the Environment and Climate Change has made the following regulations:-

Citation.

S.L. 504.06

General amendment of the principal regulations.

Amends regulation 2 of the principal regulations.

1. The title of these regulations is the Protection of Wild Rabbit (Amendment) Regulations, 2016, and these regulations shall be read and construed as one with the Protection of Wild Rabbit Regulations, hereinafter referred to as "the principal regulations".

2. In the principal regulations, for the words "*carnet de chasse*" and for the word "license", wherever they occur, there shall be substituted the words "general licence".

3. Regulation 2 of the principal regulations shall be amended as follows:

(a) the definition "*carnet de chasse*" shall be deleted;

(b) the definition "license" shall be substituted by the following new definition:

" "general licence" means a permit issued in accordance with these regulations and which satisfies the criteria listed in Schedule I and, or other conditions which may be stipulated by the Wild Birds Regulation Unit from time to time in accordance with these regulations;"; and

(c) immediately after the definition " "to capture" or "capturing" " there shall be added the following new definition:

" "to train" or "training" means the training of any dog and, or, ferret of the necessary skills to capture wild rabbit:

Provided that this activity shall be exempt from the provisions of these regulations where the training is conducted without the use of any net, firearm, air rifle or any ammunition, and without the intention to capture or kill wild rabbit and that no such capture or killing of wild rabbit occurs, and that during such training any dog shall

be on a leash at all times and any ferret shall be muzzled at all times;"

4. Regulation 5 of the principal regulations shall be amended as follows:

Amends regulation 5 of the principal regulations.

(a) paragraph (d) of sub-regulation (6) thereof shall be substituted by the following new paragraph:

"(d) in the case of general licence renewal, has paid the respective renewal fee to the Wild Birds Regulation Unit for the applicable licence as found in Schedule IV;"

(b) sub-regulation (7) thereof shall be substituted by the following new sub-regulation:

"(7) The Wild Birds Regulation Unit may issue the following general licences in terms of these regulations:

(a) the licence to shoot wild rabbit;

(b) the licence to capture wild rabbit;"

(c) sub-regulation (8) thereof shall be substituted by the following new sub-regulation:

"(8) Subject to the provisions of sub-regulation (6), an individual may apply and obtain any one or more of the general licences referred to in sub-regulation (7)."; and

(d) immediately after the sub-regulation (8) thereof, as substituted, there shall be added the following new sub-regulations:

"(9) Without prejudice to the provisions of these regulations, the licence issued in accordance with these regulations shall remain valid for a period of five years and may be renewed for further periods of five years upon payment of the licence fee stipulated in Schedule IV and if the Wild Birds Regulation Unit is satisfied that the criteria established in sub-regulation (6) are satisfied.

(10) A licensee in possession of a general licence issued in terms of these regulations shall not be exempt from obtaining any other licence which may be required where his planned activity is regulated by any other

regulations or by any provision under these regulations.

(11) Any person licensed to shoot and, or, capture wild rabbit under these regulations shall report to the Wild Birds Regulation Unit through the game reporting system, as may be prescribed, the following information:

(a) before leaving the hunting area, the number of rabbits killed and the number of rabbits captured;

(b) the geographical location where the rabbits were hunted or captured;

(c) any other matter which may be specified by the Wild Birds Regulation Unit from time to time."

Substitutes
Schedule I to
the principal
regulations.

5. Schedule I of the principal regulations shall be substituted by the following new Schedule:

"SCHEDULE I

General Licence Conditions

1. A general licence shall immediately cease to be valid and the licensee may not hunt, or attempt to hunt, or take, or attempt to take wild rabbit, unless such person -

(a) has paid for and obtained the necessary licences required under Part XV of the Code of Police Laws and, or, paid for and obtained the necessary Police licences to hunt and, or take;

(b) is a paid member of a recognised hunting organisation;

(c) has paid any administrative fines imposed in accordance with regulation 12 as prescribed in Schedule II;

(d) has paid necessary licence fees as prescribed in regulation 5 and as listed in Schedule IV.

2. In the case of general hunting licence, no person shall hunt unless he holds a duly paid insurance policy against third party risks to persons or damage to property."

6. Schedule II of the principal regulations shall amended as follows: Amends Schedule II to the principal regulations.

(a) the following items shall be deleted:

" Failure to return completed licence to Wild Birds Regulation Unit within ten days from the end of the period for which it has been issued.	€50	
Failure to declare hunting of wild rabbit in <i>carnet de chasse</i> before leaving the hunting area.	€50	";

and

(b) item 3 thereof shall be substituted by the following:

" Failure to declare every wild rabbit hunted or taken.	€50 per un-declared wild rabbit	".
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7. Item 3 of Schedule IV to the principal regulations shall be substituted by the following new item: Amends Schedule IV of the principal regulations.

"3. Licence to shoot, and or to capture wild rabbit:

- (a) issuance of new or renewal of five-year licence to shoot wild rabbit in accordance with regulation 5: €50
- (b) issuance of new or renewal of five-year licence to capture wild rabbit in accordance with regulation 5: €25."

8. The provisions of these regulations shall enter into force as from the 15th February 2016 with respect to those licensees who have a valid licence on publication of these regulations and who have handed in their *carnet de chasse* to the Wild Birds Regulation Unit in accordance with regulation 5(8) of the principal regulations: Transitory provisions and entry into force.

Provided that, notwithstanding that the 15th February 2016 might have elapsed, the provisions of regulation 5, Schedule I and Schedule II, of the principal regulations shall remain in force in the same manner as prior to being amended by these regulations exclusively in regard to those licensees who would have not handed in their *carnet de chasse* in accordance with regulation 5(8) of the principal regulations or in regard to those persons who are in any other way in breach of the regulations specified in this proviso and

such persons shall still be liable to the punishments stipulated by these specified regulations as are in force prior to the 15th February 2016:

Provided further that regulation 2 of these regulations shall also enter into force in the same manner as specified in the proviso immediately preceding this proviso.

