



Wildlife and Countryside Act 1981

CHAPTER 69

This is an extract from a scanned copy of the Wildlife and Countryside Act 1981, **as at the time when it received Royal Assent**. The Act remains one of the most important pieces of wildlife legislation in Great Britain, but it is important to be aware that **this document does not represent the Act as it currently stands**.

Please Note:

- Since the passing of the Wildlife and Countryside Act 1981 there have been various amendments to the text of the Act, most significantly through the [Countryside and Rights of Way \(CROW\) Act 2000](#) (in England and Wales) and the [Nature Conservation \(Scotland\) Act 2004](#) (in Scotland), but also through other legislation including the Local Government Act 1985, the Water Act 1989, and the Environmental Protection Act 1990 (**PLEASE NOTE:** This is not a complete list of amending legislation).
- There have also been changes to the species listed in the schedules, through Variations to the Schedules Orders. There is a statutory five-yearly review of Schedules 5 and 8 (protected wild animals and plant respectively), undertaken by the statutory conservation agencies and coordinated through JNCC, but changes to the Schedules can be made by the Secretary of State at any time, if it is considered necessary because of a threat of extinction or in response to international obligations. JNCC maintain a central spreadsheet of [conservation designations for all taxa](#) which includes any changes to the Schedules of the 1981 Wildlife and Countryside Act.
- When citing any legislation, it is important to check whether any parts of it have been amended (or repealed) by later Acts or Statutory Instruments. Most UK legislation introduced since 1988 is available online from the website of the Office of Public Sector Information <http://www.opsi.gov.uk/legislation>. If necessary, a qualified legal adviser should be consulted for definitive guidance over what legislation may be applicable, and its interpretation.

The remaining parts of this original text of the act can be found at www.jncc.gov.uk/page-3614

(3) As soon as may be after a decision not to confirm an order to which this Schedule applies, the authority by whom the order was made shall give notice of the decision by serving a copy of it on any persons on whom notices were required to be served under paragraph 1(3)(b), (3C) or (4) above.”.

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9. After that paragraph there shall be inserted the following paragraph—

“4A. As soon as may be after an order to which this Schedule applies has come into operation otherwise than—

(a) on the date on which it was confirmed or made by the Secretary of State or confirmed as an unopposed order ;
or

(b) at the expiration of a specified period beginning with that date,

the authority by whom the order was made or, in the case of an order made by the Secretary of State, the Secretary of State shall give notice of its coming into operation by publication in at least one local newspaper circulating in the area in which the land to which the order relates is situated.”

Supplemental

10.—(1) The amendments made by the foregoing provisions of this Schedule shall not apply in relation to any order if it was made or a draft thereof was prepared, or a notice relating to it was given under paragraph 1 of the relevant Schedule, before the commencement date.

(2) Any reference in this paragraph to Schedule 6 to the Highways Act 1980 includes a reference to that Schedule as applied by paragraph 3 of the provisions of Part I of Schedule 3 to the 1968 Act which relate to the Acquisition of Land (Authorisation Procedure) Act 1946.

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Section 73.

ENACTMENTS REPEALED

PART I

ENACTMENTS REPEALED ONE MONTH AFTER THE PASSING OF THIS ACT

Chapter	Short title	Extent of repeal
12, 13 & 14 Geo. 6. c. 97.	The National Parks and Access to the Countryside Act 1949.	Section 23.
1968 c. 41.	The Countryside Act 1968.	Section 14. In section 15(1) the words “which is not for the time being managed as a nature reserve but”.

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Chapter	Short title	Extent of repeal
1973 c. 37.	The Water Act 1973.	In section 22(3) the words "not being land for the time being managed as a nature reserve".
1973 c. 54.	The Nature Conservancy Council Act 1973.	Section 3.
1973 c. 65.	The Local Government (Scotland) Act 1973.	In Schedule 27, in Part II, paragraph 101.
1980 c. 66.	The Highways Act 1980.	In section 134, subsection (3) and in subsection (5) the words "(3) or". In section 135(1), the words "6 or" and "6 weeks or".

PART II

ENACTMENTS REPEALED ON
A DAY TO BE APPOINTED

Chapter	Short title	Extent of repeal
2 & 3 Geo. 5 c. 14. 12, 13 & 14 Geo. 6.c.97.	The Protection of Animals (Scotland) Act 1912. The National Parks and Access to the Countryside Act 1949.	In section 9 the words "or any snare" and "or snare". Sections 2 and 4. Sections 27 to 35. Section 38. Section 95.
2 & 3 Eliz. 2. c. 30. 1963 c. 33. 1963 c. 36.	The Protection of Birds Act 1954. The London Government Act 1963. The Deer Act 1963.	The whole Act. In section 60, subsections (1) to (4). In Schedule 2, in paragraph 1 the words "of less gauge than 12 bore" and in paragraph 4 the words from "other than" onwards.
1964 c. 59.	The Protection of Birds Act 1954 (Amendment) Act 1964.	The whole Act.
1967 c. 46.	The Protection of Birds Act 1967.	The whole Act.
1968 c. 41.	The Countryside Act 1968.	In section 1, subsection (4) and, in subsection (5), the words "and 2(1)" and the words "and in section 4(1)" onwards. Section 3. In Schedule 3, in Part I, the entry relating to the National Parks and Access to the Countryside Act 1949, and Parts II, III and IV.

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Chapter	Short title	Extent of repeal
1970 c. 30.	The Conservation of Seals Act 1970.	In section 10(1)(c), the word "or" immediately following sub-paragraph (ii).
1971 c. 23.	The Courts Act 1971.	In Schedule 8, paragraph 31. In Schedule 9, in Part II, the entry relating to section 31 of the National Parks and Access to the Countryside Act 1949.
1971 c. 78.	The Town and Country Planning Act 1971.	In Schedule 20, in paragraph 1(2)(a), the words "in the London Gazette and".
1972 c. 70.	The Local Government Act 1972.	In Schedule 17, paragraphs 22 to 33. In Schedule 29, paragraph 37.
1973 c. 37.	The Water Act 1973.	In Schedule 8, paragraph 67.
1973 c. 54.	The Nature Conservancy Council Act 1973.	In section 5(3) the words from the beginning to "save as aforesaid". In Schedule 1, paragraphs 3, 5, 7 and 12(a) and (c).
1973 c. 57.	The Badgers Act 1973.	Sections 6 and 7. Section 8(2)(c). In section 11, the definitions of "area of special protection" and "authorised person".
1973 c. 65.	The Local Government (Scotland) Act 1973.	In Schedule 27, in Part II, paragraphs 115 and 168.
1975 c. 21.	The Criminal Procedure (Scotland) Act 1975.	In Schedule 7C, the entries relating to the Protection of Birds Act 1954 and the Conservation of Wild Creatures and Wild Plants Act 1975.
1975 c. 48.	The Conservation of Wild Creatures and Wild Plants Act 1975.	The whole Act.
1976 c. 16.	The Statute Law (Repeals) Act 1976.	In Schedule 2, in Part II, the entry relating to the Protection of Birds Act 1967.
1976 c. 72.	The Endangered Species (Import and Export) Act 1976.	Section 13(6).
1977 c. 45.	The Criminal Law Act 1977.	In Schedule 6, the entries relating to the Protection of Birds Act 1954 and the Conservation of Wild Creatures and Wild Plants Act 1975.
1979 c. 2.	The Customs and Excise Management Act 1979.	In Schedule 4, in paragraph 12, in the Table the entry relating to the Protection of Birds Act 1954.
1980 c. 66.	The Highways Act 1980.	In section 31(10) the words "or of that subsection" onwards. Section 340(2)(d).
1981 c. 22.	The Animal Health Act 1981.	In Schedule 5, paragraph 1

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Chapter	Short title	Extent of repeal
1981 c. 37.	The Zoo Licensing Act 1981.	In section 4(5), the entries relating to the Protection of Birds Acts 1954 to 1967 and the Conservation of Wild Creatures and Wild Plants Act 1975.

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