1989 No. 212

GAME

Game Birds Preservation Order (Northern Ireland) 1989

Made	*9th June 1989*
Coming into operation . .	*11th August 1989*

The Department of the Environment(**a**), being satisfied that it is necessary to provide special protection for grouse, partridge, red-legged partridges and hen pheasants:

(*a*) in exercise of the powers conferred by section 7C(1) and 7F of the Game Preservation Act (Northern Ireland) 1928(**b**) (hereinafter referred to as "the Act") and now vested in the head of the Department of the Environment, and paragraph 2(1) of Schedule 1 to the Northern Ireland Act 1974(**c**) and of every other power enabling it in that behalf; and

(*b*) after publishing, pursuant to section 7F(5) of the Act, notice of proposal to make this Order and the purport thereof, and not having received any objection to the said proposal,

hereby makes the following Order:—

Citation and commencement

1. This Order may be cited as the Game Birds Preservation Order (Northern Ireland) 1989 and shall come into operation on 11th August 1989.

Prohibition of sale for consumption of grouse

2. It shall not be lawful for any person to sell or purchase grouse for consumption in Northern Ireland or elsewhere by human beings or animals at any time from 11th August 1989 to 11th August 1990.

Prohibition of killing or taking partridge, red-legged partridges and hen pheasants

3. It shall not be lawful for any person to kill or take partridge, red-legged partridges or hen pheasants at any time from 30th September 1989 to 30th September 1990 provided that the Department of the Environment may, where it is considered expedient so to do, grant exemption from the terms of this Article.

(**a**) Formerly the Minister of Home Affairs, then the Minister of Development and lately the head of the Department of Housing, Local Government and Planning: *see* S.R. & O. (N.I.) 1972 No. 252; Northern Ireland Constitution Act 1973 c. 36 sch. 5 para. 7; S.R. & O. (N.I.) 1973 No. 504 Art. 7; S.I. 1976/424 (N.I. 6) Art. 3

(**b**) 1928 c. 25 (N.I.): *see* s. 3 of 1951 c. 4 (N.I.)

(**c**) 1974 c. 28

Prohibition of sale for consumption of partridge, red-legged partridges and hen pheasants

4. It shall not be lawful for any person to sell or purchase partridge, red-legged partridges or hen pheasants for consumption in Northern Ireland or elsewhere by human beings or animals at any time from 30th September 1989 to 30th September 1990, except that a person who has been exempted under Article 3 to kill partridge, red-legged partridges or hen pheasants may sell them to a licensed game dealer.

Sealed with the Official Seal of the Department of the Environment on 9th June 1989.

(L.S.) *J. C. L. Phillips*
Assistant Secretary

EXPLANATORY NOTE

(This note is not part of the Order.)

This Order prohibits, except where exemption is granted, the killing or taking of partridge, red-legged partridges and hen pheasants during the normal open season for game birds. It also restricts dealings in partridge, red-legged partridges or hen pheasants and prohibits dealings in grouse.

Any person who acts in contravention of or fails to comply with any provision of the Order shall be guilty of an offence under the Game Preservation Act (Northern Ireland) 1928.

Any person guilty of an offence under the Act shall be liable on summary conviction to a fine not exceeding level 2 on the standard scale (£100) or at the discretion of the court to imprisonment for a term not exceeding 3 months or to both such fine and imprisonment.

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These Orders have been exempted from printing by the Statutory Rules (Northern Ireland) Order 1979. Summaries are given in the List of Statutory Rules of a Local Character under the heading ROADS.