1974 No. 1596 (S.141)

WILD BIRDS

The Wild Birds (Loch Eye Bird Sanctuary) (Scotland) Order 1974

Made - - - 19*th September* 1974

Coming into Operation 1*st October* 1974

In exercise of the powers conferred on me by section 3(1) of the Protection of Birds Act 1954(**a**), and of all other powers enabling me in that behalf, I hereby make the following order:

1.—(1) This order may be cited as the Wild Birds (Loch Eye Bird Sanctuary) (Scotland) Order 1974, and shall come into operation on 1st October 1974.

(2) In this order the expression "the Act" means the Protection of Birds Act 1954.

(3) The Interpretation Act 1889(**b**) shall apply for the interpretation of this order as it applies for the interpretation of an Act of Parliament.

2. The area (hereafter in this order referred to as "the Loch Eye Bird Sanctuary") specified in the Schedule to this order shall be a bird sanctuary.

3. Any person who in the Loch Eye Bird Sanctuary at any time wilfully—

(*a*) kills, injures or takes, or attempts to kill, injure or take, any wild bird, or

(*b*) takes or destroys an egg of any wild bird, or

(*c*) disturbs any wild bird while it is on or near a nest containing eggs or unflown young

shall be guilty of an offence against the Act.

4. Any person who enters the Loch Eye Bird Sanctuary at any time shall be guilty of an offence against the Act.

5. When any person in the Loch Eye Bird Sanctuary does any act which by

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(**a**) 1954 c. 30.

(**b**) 1889 c. 63.

virtue of article 3 or 4 of this order is an offence against the Act he shall be liable to a special penalty in terms of section 12(2)(*a*) of the Act.

William Ross,
One of Her Majesty's Principal
Secretaries of State.

St. Andrew's House,
Edinburgh.
19th September 1974.

SCHEDULE

Loch Eye Bird Sanctuary

That area extending to 951·8 acres or thereby lying in the Parishes of Fearn and Tain in the County of Ross and Cromarty, comprising Loch Eye and its immediate shores and bounded as follows: from Mounteagle Farm at grid reference 831789 by a fence proceeding in a north-easterly direction some 674 yards or thereby to grid reference 837793, turning at right angles in a south-easterly direction for some 264 yards or thereby to grid reference 838791 and again at right angles in an east north-easterly direction for some 440 yards or thereby to grid reference 842792; thereafter proceeding in a north-easterly direction for some 690 yards or thereby by a straight line to grid reference 846796; thereafter again proceeding in a north north-easterly direction for some 543 yards or thereby following the line of a fence to Poulfock at grid reference 849800; thereafter again on or towards the north-west for some 322 yards or thereby by the road which runs between the B9165 and Lochslin Farm to grid reference 847802; thereafter by a fence proceeding in a north-easterly direction for some 205 yards or thereby to grid reference 848803, and again at right angles in a north north-westerly direction for some 674 yards or thereby to grid reference 846808 and again at right angles in a west south-westerly direction for some 264 yards to grid reference 843807; thereafter again following the lines of a fence curving in a south-easterly direction around the property known as Lochslin and rejoining the aforementioned road at grid reference 843807 and thereafter proceeding in a west north-westerly direction for some 205 yards or thereby to grid reference 841806 and thence following a line of fence for some 661 yards or thereby running in a west south-westerly direction and passing close to the summit of Knock Dhu to grid reference 835805; thereafter again for some 719 yards or thereby following as nearly as possible the summit of the low ridge proceeding from Knock Dhu in a westerly direction along an unfenced line across arable fields to grid reference 829805; thereafter again for some 147 yards or thereby proceeding west south-west across scrub land to grid reference 827804 and thence by scrub and woodland for some 380 yards or thereby in a south-westerly direction to grid reference 824803; thereafter in a north-westerly direction for some 132 yards or thereby by the small road which touches the north-west shore of Loch Eye to grid reference 823802; thereafter turning at right angles and proceeding by a fence for some 322 yards or thereby in a south-westerly direction to grid reference 822800; thereafter again for some 440 yards or thereby by fence lines curving in a south-westerly direction by the property known as Loch Eye House to grid reference 819798; thereafter turning at right angles in a south south-easterly direction for some 308 yards or thereby by the small road aforementioned to grid reference 818795; thereafter on and towards the south-west for some 396 yards or thereby by the small road aforementioned to grid reference 818792; thereafter by a fence for some 1012 yards or thereby proceeding in a south-easterly direction to grid reference 825786 adjacent to Midoxgate Farm; thereafter in a north-easterly direction for some 851 yards or thereby to Mounteagle Farm grid reference 831790 but excepting Mounteagle Farm House from the said area and finally turning at right angles in a south-easterly direction for a distance of some 74 yards or thereby.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order provides that the area of Loch Eye and the surrounding shores described in the Schedule shall be a bird sanctuary; prohibits entry into the area at any time; and makes offenders liable to the special penalties prescribed by section 12(2)(*a*) of the Protection of Birds Act 1954.