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**Changes to legislation:** There are currently no known outstanding effects for the Natural Environment and Rural Communities Act 2006, Part 2. (See end of Document for details)

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## SCHEDULES

### SCHEDULE 5

#### ENFORCEMENT POWERS IN CONNECTION WITH WILDLIFE

##### PART 2

#### POWERS OF WILDLIFE INSPECTORS EXTENDED TO CERTAIN OTHER ACTS

##### *Introduction*

- 7 In this Part “the enforcement provisions of the 1981 Act relating to Group 1 offences and Group 1 licences” means the following provisions of the Wildlife and Countryside Act 1981 (c. 69)—
- (a) section 18A (power to authorise persons to act as wildlife inspectors);
  - (b) section 18B (power of wildlife inspector to enter premises);
  - (c) section 18C (power to examine specimens and take samples);
  - (d) section 18F (restrictions on taking samples from live specimens);
  - [<sup>F1</sup>(da) section 19XB(1) and (4) (offences in connection with enforcement powers);]
  - (e) section 21(4AA) to (4C) (penalties for obstructing etc. wildlife inspectors).

##### **Textual Amendments**

- F1** Sch. 5 para. 7(da) inserted (14.7.2008) by [Criminal Justice and Immigration Act 2008 \(c. 4\), s. 153\(7\)](#), [Sch. 26 para. 80](#); S.I. 2008/1586, art. 2(1), Sch. 1 para. 48(t)

##### **Commencement Information**

- II** Sch. 5 para. 7 in force at 31.5.2006 by [S.I. 2006/1382, art. 2](#)

##### *Destructive Imported Animals Act 1932 (c. 12)*

- 8 (1) The enforcement provisions of the 1981 Act relating to Group 1 offences and Group 1 licences apply for the purposes of the 1932 Act as if—
- (a) any reference to a Group 1 offence were a reference to any offence under the 1932 Act,
  - (b) any reference to a Group 1 licence were a reference to a licence under the 1932 Act, and
  - (c) as if the power to take a sample included power to take a sample from a destructive animal (whether live or dead) for the purpose of testing for disease.
- (2) “Destructive animal” means a musk rat or other animal to which the 1932 Act applies.

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#### Commencement Information

**I2** Sch. 5 para. 8 in force at 31.5.2006 by S.I. 2006/1382, art. 2

#### *Conservation of Seals Act 1970 (c. 30)*

- 9 The enforcement provisions relating to Group 1 offences and Group 1 licences apply for the purposes of the 1970 Act as if—
- (a) [F<sup>2</sup>United Kingdom Research and Innovation] were required to be consulted about any authorisation of a person to exercise the powers of a wildlife inspector for the purposes of the 1970 Act,
  - (b) any reference to a Group 1 offence were a reference to any offence under the 1970 Act,
  - (c) any reference to a Group 1 licence were a reference to a licence under section 10 of the 1970 Act, and
  - (d) the power to take a sample from a specimen did not include any power to take a sample from a live seal.

#### Textual Amendments

**F2** Words in Sch. 5 para. 9(a) substituted (1.4.2018) by Higher Education and Research Act 2017 (c. 29), s. 124(5), Sch. 12 para. 20; S.I. 2018/241, reg. 2(t) (with transitional and savings provisions in S.I. 2018/245, regs. 2, 3, 26)

#### Commencement Information

**I3** Sch. 5 para. 9 in force at 31.5.2006 by S.I. 2006/1382, art. 2

#### *Deer Act 1991 (c. 54)*

- 10 The enforcement provisions relating to Group 1 offences and Group 1 licences apply for the purposes of the 1991 Act as if—
- (a) any reference to a Group 1 offence were a reference to any offence under the 1991 Act,
  - (b) any reference to a Group 1 licence were a reference to a licence under section 8 of the 1991 Act, and
  - (c) as if the power to take a sample included power to take a sample from a deer (whether live or dead) for the purpose of testing for disease.

#### Commencement Information

**I4** Sch. 5 para. 10 in force at 31.5.2006 by S.I. 2006/1382, art. 2

#### *Protection of Badgers Act 1992 (c. 51)*

- 11 The enforcement provisions relating to Group 1 offences and Group 1 licences apply for the purposes of the 1992 Act as if—
- (a) any reference to a Group 1 offence were a reference to any offence under the 1992 Act,

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- (b) any reference to a Group 1 licence were a reference to a licence under section 10 of the 1992 Act, and
- (c) as if the power to take a sample included power to take a sample from a badger (whether live or dead) for the purpose of testing for disease.

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**Commencement Information**

**I5** Sch. 5 para. 11 in force at 31.5.2006 by S.I. 2006/1382, art. 2

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