



Wildlife and Countryside Act 1981

1981 CHAPTER 69

PART I

WILDLIFE

Supplemental

22 Power to vary Schedules. **E+W**

- (1) The Secretary of State may by order, either generally or with respect to particular provisions of this Part, particular areas of Great Britain or particular times of the year, add any bird to, or remove any bird from, any of or any Part of [^{F1}Schedules ZA1 to 4].
- (2) An order under subsection (1) adding any bird to Part II of Schedule 1 or Part I of Schedule 2 may prescribe a close season in the case of that bird for the purposes of sections 1 and 2; and any close season so prescribed shall commence on a date not later than 21st February and end on a date not earlier than 31st August.
- (3) The Secretary of State may, on a representation made [^{F2}to him by the GB conservation bodies acting through the Joint Nature Conservation Committee in accordance with Part 2 of the 2006 Act], by order, either generally or with respect to particular provisions of this Part, particular areas of Great Britain or particular times of the year—
 - (a) add to Schedule 5 or Schedule 8 any animal or plant which, in his opinion, is in danger of extinction in Great Britain or is likely to become so endangered unless conservation measures are taken; and
 - (b) remove from Schedule 5 or Schedule 8 any animal or plant which, in his opinion, is no longer so endangered or likely to become so endangered

^{F3}

[^{F4}(3A) The 2006 Act means the Natural Environment and Rural Communities Act 2006.]

- (4) The Secretary of State may, for the purpose of complying with an international obligation, by order, either generally or with respect to particular provisions of this Part or particular times of the year—

Status: There are multiple versions of this provision on screen. These apply to different geographical extents. Skip to: E+W - England and Wales extent S - Scotland extent

Changes to legislation: Wildlife and Countryside Act 1981, Section 22 is up to date with all changes known to be in force on or before 21 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (a) add any animals to, or remove any animals from, Schedule 5 or Schedule 6; and
 - (b) add any plants to, or remove any plants from, Schedule 8.
- (5) The Secretary of State may by order, either generally or with respect to particular areas of Great Britain—
- (a) add any animals to, or remove any animals from, Part I [^{F5}, IA or IB] of Schedule 9; and
 - (b) add any plants to, or remove any plants from, Part II of that Schedule.
- [^{F6}(6) The Secretary of State may, for the purpose of complying with the international trapping standards agreement, by order add any animal to, or remove any animal from, Schedule 6ZA.
- (7) In subsection (6), “the international trapping standards agreement” has the meaning given by section 16(3ZK).]

Extent Information

- E1** This version of this provision extends to England and Wales only; a separate version has been created for Scotland only.

Textual Amendments

- F1** Words in s. 22(1) substituted (E.W.) (31.5.2006) by [Natural Environment and Rural Communities Act 2006 \(c. 16\)](#), [ss. 47\(5\)](#), [107](#); S.I. 2006/1382, [art. 2](#)
- F2** Words in s. 22(3) substituted (1.10.2006) by [Natural Environment and Rural Communities Act 2006 \(c. 16\)](#), [ss. 105\(1\)](#), [107](#), [Sch. 11 para. 74\(2\)\(a\)](#); S.I. 2006/2541, [art. 2](#)
- F3** Words in s. 22(3) repealed (1.10.2006) by [Natural Environment and Rural Communities Act 2006 \(c. 16\)](#), [ss. 105\(1\)\(2\)](#), [107](#), [Sch. 11 para. 74\(2\)\(b\)](#), [Sch. 12](#); S.I. 2006/2541, [art. 2](#)
- F4** S. 22(3A) inserted (1.10.2006) by [Natural Environment and Rural Communities Act 2006 \(c. 16\)](#), [ss. 105\(1\)](#), [107](#), [Sch. 11 para. 74\(3\)](#); S. I. 2006/2541, [art. 2](#)
- F5** Words in s. 22(5)(a) inserted (5.3.2015 for E., 12.4.2015 for W.) by [Infrastructure Act 2015 \(c. 7\)](#), [ss. 25\(5\)](#), [57\(4\)](#); S.I. 2015/481, [reg. 2\(c\)](#); S.I. 2015/990, [reg. 2](#)
- F6** S. 22(6)(7) inserted (28.3.2019) by [The Humane Trapping Standards Regulations 2019 \(S.I. 2019/22\)](#), [regs. 1\(1\)](#), [5](#)

22 Power to vary Schedules. **S**

- (1) The Secretary of State may by order, either generally or with respect to particular provisions of this Part, particular areas of Great Britain or particular times of the year
- [^{F7}(a)] add any bird to, or remove any bird from, any of or any Part of Schedules [^{F8}A1] to 4.
 - [^{F9}(b)] add any animal to, or remove any animal from, Schedule 5 [^{F10}, 5A, 6 or 6A]^{F11} ...;
 - (c) add any plant to, or remove any plant from, Schedule 8 ^{F12}....]
- (2) An order under subsection (1) adding any bird to Part II of Schedule 1 or Part I of Schedule 2 may prescribe a close season in the case of that bird for the purposes of sections 1 and 2; and any close season so prescribed shall commence on a date not later than 21st February and end on a date not earlier than 31st August.

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[^{F13}(2ZA) An order under subsection (1) adding any animal to Schedule 5A may prescribe a close season in the case of that animal for the purposes of section 10A.]

[^{F14}(2A) Before making an order under subsection (1) the Scottish Ministers shall consult Scottish Natural Heritage.]

(3) The Secretary of State may, on a representation made [^{F15}to him by the GB conservation bodies acting through the Joint Nature Conservation Committee in accordance with Part 2 of the 2006 Act], by order, either generally or with respect to particular provisions of this Part, particular areas of Great Britain or particular times of the year—

- (a) add to Schedule 5 or Schedule 8 any animal or plant which, in his opinion, is in danger of extinction in Great Britain or is likely to become so endangered unless conservation measures are taken; and
- (b) remove from Schedule 5 or Schedule 8 any animal or plant which, in his opinion, is no longer so endangered or likely to become so endangered

^{F16}

[^{F17}(3A) The 2006 Act means the Natural Environment and Rural Communities Act 2006.]

(4) ^{F18}

(5) ^{F18}

[^{F6}(6) The Secretary of State may, for the purpose of complying with the international trapping standards agreement, by order add any animal to, or remove any animal from, Schedule 6ZA.

(7) In subsection (6), “the international trapping standards agreement” has the meaning given by section 16(3ZK).]

Extent Information

E2 This version of this provision extends to Scotland only; a separate version has been created for England and Wales only.

Textual Amendments

F6 S. 22(6)(7) inserted (28.3.2019) by [The Humane Trapping Standards Regulations 2019 \(S.I. 2019/22\)](#), regs. 1(1), 5

F7 Words in s. 22(1) renumbered (S.) (1.10.2004) as s. 22(1)(a) by virtue of [Nature Conservation \(Scotland\) Act 2004 \(asp 6\)](#), ss. 50, 59, **Sch. 6 para. 20(a)(i)**; S.S.I. 2004/407, **art. 2**

F8 Word in s. 22(1) substituted (S.) (1.10.2004) by [Nature Conservation \(Scotland\) Act 2004 \(asp 6\)](#), ss. 50, 59, **Sch. 6 para. 20(a)(ii)**; S.S.I. 2004/407, **art. 2**

F9 S. 22(1)(b)(c) inserted (S.) (1.10.2004) by [Nature Conservation \(Scotland\) Act 2004 \(asp 6\)](#), ss. 50, 59, **Sch. 6 para. 20(a)(iii)**; S.S.I. 2004/407, **art. 2**

F10 Words in s. 22(1)(b) substituted (S.) (29.6.2011) by [Wildlife and Natural Environment \(Scotland\) Act 2011 \(asp 6\)](#), **ss. 10(a)**, 43(1) (with s. 41(1)); S.S.I. 2011/279, **art. 2(1)(h)**

F11 Words in s. 22(1)(b) repealed (S.) (2.7.2012) by [Wildlife and Natural Environment \(Scotland\) Act 2011 \(asp 6\)](#), **ss. 17(4)(a)**, 43(1) (with s. 41(1)); S.S.I. 2012/175, **art. 2(1)(c)**

F12 Words in s. 22(1)(c) repealed (S.) (2.7.2012) by [Wildlife and Natural Environment \(Scotland\) Act 2011 \(asp 6\)](#), **ss. 17(4)(b)**, 43(1) (with s. 41(1)); S.S.I. 2012/175, **art. 2(1)(c)**

F13 S. 22(2ZA) inserted (S.) (29.6.2011) by [Wildlife and Natural Environment \(Scotland\) Act 2011 \(asp 6\)](#), **ss. 10(b)**, 43(1) (with s. 41(1)); S.S.I. 2011/279, **art. 2(1)(h)**

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- F14** S. 22(2A) inserted (S.) (1.10.2004) by Nature Conservation (Scotland) Act 2004 (asp 6), ss. 50, 59, **Sch. 6 para. 20(b)**; S.S.I. 2004/407, **art. 2**
- F15** Words in s. 22(3) substituted (1.10.2006) by Natural Environment and Rural Communities Act 2006 (c. 16), ss. 105(1), 107, **Sch. 11 para. 74(2)(a)**; S.I. 2006/2541, **art. 2**
- F16** Words in s. 22(3) repealed (1.10.2006) by Natural Environment and Rural Communities Act 2006 (c. 16), ss. 105(1)(2), 107, **Sch. 11 para. 74(2)(b)**, **Sch. 12**; S.I. 2006/2541, **art. 2**
- F17** S. 22(3A) inserted (1.10.2006) by Natural Environment and Rural Communities Act 2006 (c. 16), ss. 105(1), 107, **Sch. 11 para. 74(3)**; S. I. 2006/2541, **art. 2**
- F18** S. 22(4)(5) repealed (S.) (1.10.2004) by Nature Conservation (Scotland) Act 2004 (asp 6), ss. 50, 59, **Sch. 6 para. 20(c)**; S.S.I. 2004/407, **art. 2**

Status:

There are multiple versions of this provision on screen. These apply to different geographical extents.

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Changes to legislation:

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View outstanding changes

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 2(1A)-(1D) substituted for s. 2(1A) by 2024 asp 4 s. 9(2)(a)
- s. 2(3A)(a)(ii) word repealed by 2024 asp 4 s. 9(2)(b)(i)
- s. 2(3C)(c) and word inserted by 2024 asp 4 s. 9(2)(b)(ii)
- s. 11(1)(ab)-(ad) substituted for s. 11(1)(a)(aa) by 2024 asp 4 s. 6(2)(a)
- s. 11(2)(aa)(ab) inserted by 2024 asp 4 s. 6(2)(c)(ii)
- s. 11(2A) inserted by 2024 asp 4 s. 1(6)(b)
- s. 11(3CA) inserted by 2024 asp 4 s. 6(2)(e)
- s. 12A-12G and cross-heading inserted by 2024 asp 4 s. 7(2)
- s. 16(1A)(c)(d) inserted by 2024 asp 4 s. 6(4)(a)(ii)
- s. 16A(ab) inserted by 2024 asp 4 s. 7(4)(b)
- s. 16A(1A) inserted by 2024 asp 4 s. 7(4)(a)
- s. 16A(1B) inserted by 2024 asp 4 s. 10(3)(a)
- s. 16A(5)(aa) inserted by 2024 asp 4 s. 10(3)(c)
- s. 16A(5A) inserted by 2024 asp 4 s. 10(3)(d)
- s. 16A(5B) inserted by 2024 asp 4 s. 7(4)(c)
- s. 16AA-16AF inserted by 2024 asp 4 s. 10(2)
- s. 21(ga)(gb) inserted by 2024 asp 4 s. 7(6)
- s. 26(2)(c) inserted by 2024 asp 4 s. 7(7)(a)(ii)
- s. 26(2)(d) inserted by 2024 asp 4 s. 9(3)(a)
- s. 26(2)(d)(e) inserted by 2024 asp 4 s. 10(5)(a)
- s. 26(2)(f) and word inserted by 2024 asp 4 s. 6(7)(a)
- s. 26(3)(c) inserted by 2024 asp 4 s. 7(7)(b)(ii)
- s. 26(3)(d) inserted by 2024 asp 4 s. 9(3)(b)
- s. 26(3)(d)(e) inserted by 2024 asp 4 s. 10(5)(b)
- s. 26(3)(f) and word inserted by 2024 asp 4 s. 6(7)(b)
- s. 53(3)(c)(ia) inserted by 2015 c. 20 Sch. 7 para. 2(b)
- s. 53B(4A)(4B) inserted by 2015 c. 20 Sch. 7 para. 4
- s. 53ZA inserted by 2015 c. 20 Sch. 7 para. 3
- s. 54B54C inserted by 2015 c. 20 Sch. 7 para. 5
- Sch. 2 Pt. 1B inserted by 2024 asp 4 s. 9(5)
- Sch. 13A inserted by 2015 c. 20 Sch. 7 para. 6
- Sch. 14A inserted by 2015 c. 20 Sch. 7 para. 7