

Ordinance 10 of 2016

Published in Gazette No. 1806 of 9 May 2016

**GAME AND WILD BIRDS (AMENDMENT NO. 2)
ORDINANCE 2016**

An Ordinance to amend the Game and Wild Birds Ordinance 2008

**M. Wigston
ADMINISTRATOR**

06 May 2016

BE it enacted by the Administrator of the Sovereign Base Areas of Akrotiri and Dhekelia as follows:—

Short title and commencement

1. This Ordinance may be cited as the Game and Wild Birds (Amendment No. 2) Ordinance 2016 and comes into force on 18 May 2016.

Amendments to the Game and Wild Birds Ordinance 2008

2. The Game and Wild Birds Ordinance 2008(a) is amended in accordance with sections 3 to 5.

Amendment to section 2

3. In section 2 (interpretation) before the definition of “alien species” insert—

““airgun” has the meaning given in section 2 of the Firearms and Other Weapons Ordinance 2009(b);”.

(a) Ordinance 21/2008 as amended by Ordinances 3/2009, 17/2009, 29/2009, 34/2010, 8/2013, 18/2014, 1/2015 and 3/2016.

(b) Ordinance 21/2009; the definition of “airgun” was amended by Ordinance 6/2012.

Amendment to section 48

4. In section 48(2)(a) (control of house sparrows and certain other species) insert “, or likely to be caused,” after “damage being caused”.

Amendments to section 48A

5.—(1) Section 48A (control of foxes and alien species) is amended in accordance with subsections (2) and (3).

(2) In subsection (1) insert “, and to carry a relevant weapon for the purpose” after “control the following species”.

(3) After subsection (3) insert—

“(4) In subsection (1) “relevant weapon” means—

- (a) an airgun, other than one to which section 9(2) of the Firearms and Other Weapons Ordinance 2009 applies; or
- (b) a shot gun.”.

Transitional provision

6. Any permit issued under section 48 of the Game and Wild Birds Ordinance 2008 before this Ordinance comes into force is deemed to have been issued under that section as amended by section 4.

EXPLANATORY NOTE

(This note is not part of the Ordinance)

1. This explanatory note relates to the Game and Wild Birds (Amendment No. 2) Ordinance 2016 (the “Ordinance”). It has been prepared by the Office of the Attorney General and Legal Adviser in order to assist the reader of the Ordinance. It does not form part of the Ordinance.
2. The Ordinance amends the Game and Wild Birds Ordinance 2008 in two ways. Firstly, it clarifies that a permit can be issued under section 48 when the relevant species is likely to cause serious damage. Section 48 relates to the control of certain species of birds. The transitional provision in section 6 means that any permits previously issued are deemed to have been issued under section 48 as amended.
3. Secondly, it widens the Chief Officer’s powers when granting a permit under section 48A to control foxes and alien species. The Chief Officer can now also permit the carrying of a “relevant weapon” for that purpose. A relevant weapon is defined as a shot gun or an airgun, other than one to which section 9(2) of the Firearms and Other Weapons Ordinance 2009 applies. That provision applies to airguns with a bore diameter greater than 4.5mm, which can only be used for the activities of licenced shooting associations.
4. The term “airgun” is defined by reference to the Firearms and Other Weapons Ordinance 2009.

SBA/AG/EN/243

Published by the Sovereign Base Areas Administration
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