

Lucy Munro

1/11

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Mr Street

By email:

request-32659-33d99305@whatdotheyknow.com

Our ref: RFI 3294

7 May 2010

Dear Mr Street

REQUEST FOR INFORMATION: Schedule 3 Birds

Thank you for your request for information about Schedule 3 birds which we received on 13 April 2010. We are dealing with your request under the Freedom of Information Act 2000 (FOIA).

With reference to Section 6 (5) of the Wildlife and Countryside Act 1981 (the Act) there are regulations which apply for the sale of any bird included in Part 1 of Schedule 3 of the Act. These regulations are the Wildlife and Countryside Act 1981 (Ringling of Certain Birds) Regulations 1982 (SI 1220/1982) which came into force on the 28 September 1982. Under regulation (3) of (SI 1220/1982) any bird to which these regulations apply shall be closed ringed with a ring no larger than the size specified in Schedule 2 of these regulations. Any such ring shall be obtained from an approved supplier, and the application of the ring shall:

- (a) be made by the keeper, or prospective keeper, of the bird to be ringed;
- (b) provide details of its parents, or prospective parents; and
- (c) in the case of a bird in being, specify its age and (where known) its sex.

The Act was enacted more than 28 years ago, and also the regulations came into operation about 27 years ago – we do not maintain records for this period and I cannot confirm the exact nature of the consultation which would have taken place. I understand however that prior to the inception of the Wildlife and Countryside Act 1981 a committee comprising of individuals from various interested bodies from aviculture and ornithology had a series of meeting throughout the UK to inform the drafting of SI 1982/1220. I do not however have formal records of this meeting.

If you have any queries about this letter, please contact me. I also attach an annexe giving contact details should you be unhappy with the service you have received.

Yours sincerely
BY EMAIL

Lucy Munro
Biodiversity Programme

Annexe A

Complaints

If you are unhappy with the service you have received in relation to your request you may make a complaint or appeal against our decision within 40 working days of the date of this letter. Please write to Clive Porro, Head of Defra's Information Rights Team at, Area1B, Ergon House, Horseferry Road, London SW1P 2AL, (email: informationrights@defra.gsi.gov.uk) who will arrange for an internal review of your case. Details of Defra's complaints procedure can be found at: <http://www.defra.gov.uk/corporate/complain/info.htm>

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. Please note that generally the Information Commissioner cannot make a decision unless you have first exhausted Defra's own complaints procedure. The Information Commissioner can be contacted at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF