

1988 No. 288

WILDLIFE

The Wildlife and Countryside Act 1981 (Variation of Schedules) Order 1988

<i>Made</i> - - - -	<i>19th February 1988</i>
<i>Laid before Parliament</i>	<i>26th February 1988</i>
<i>Coming into force</i>	<i>18th March 1988</i>

The Secretary of State –

(1) having received (under section 22(3) of the Wildlife and Countryside Act 1981(a) (“the Act”)) a representation from the Nature Conservancy Council;

(2) having given (under section 26(4) of the Act) any local authority affected and any other person affected an opportunity to submit objections or representations with respect to the subject matter of this Order;

(3) being of the opinion that the animals and plants referred to in articles 2(1) to (4) and 3 below are in danger of extinction in Great Britain or likely to become so endangered unless conservation measures are taken, and that the animals referred to in article 2(5) below are no longer so endangered or likely to become so endangered;

in exercise of the powers conferred on him by section 22(3) of the Act, and of all other powers enabling him in that behalf, hereby makes the following Order:

Citation and commencement

1. This Order may be cited as the Wildlife and Countryside Act 1981 (Variation of Schedules) Order 1988 and shall come into force on 18th March 1988.

Variation of Schedule 5

2.—(1) The following animals are hereby added to Schedule 5 to the Act:

<i>Common Name</i>	<i>Scientific Name</i>
Anemone, Ivell's Sea	<i>Edwardsia ivelli</i>
Anemone, Startlet Sea	<i>Nematosella vectensis</i>
Apus	<i>Triops cancriformis</i>
Beetle, Violet Click	<i>Limoniscus violaceus</i>
Cat, Wild	<i>Felis silvestris</i>
Cicada, New Forest	<i>Cicadetta montana</i>

(a) 1981 c.69.

Dormouse	<i>Muscardinus avellanarius</i>
Leech, Medicinal	<i>Hirudo medicinalis</i>
Marten, Pine	<i>Martes martes</i>
Mat. Trembling Sea	<i>Victorella pavida</i>
Moth, Viper's Bugloss	<i>Hadena irregularis</i>
Sandworm, Lagoon	<i>Armandia cirrhosa</i>
Shrimp, Fairy	<i>Chirocephalus diaphanus</i>
Shrimp, Lagoon Sand	<i>Gammarus insensibilis</i>
Turtles, Marine (all species)	<i>Dermochelyidae and Cheloniidae</i>
Vendace	<i>Coregonus albula</i>
Walrus	<i>Odobenus rosmarus</i>
Whale (all species)	<i>Cetacea</i>
Whitefish	<i>Coregonus lavaretus</i>

(2) All Dolphins (*Cetacea*) and all Porpoises (*Cetacea*) not already listed in Schedule 5 to the Act are hereby added to that Schedule.

(3) The Atlantic Stream Crayfish (*Austropotamobius pallipes*) is hereby added to Schedule 5 to the Act, but only in respect of section 9(1) so far as it relates to taking and in respect of section 9(5).

(4) The Viviparous Lizard (*Lacerta vivipara*), the Slow-worm (*Anguis fragilis*) and the Grass Snake (*Natrix helvetica* otherwise known as *Natrix natrix*) (which are already listed in Schedule 5 to the Act in respect of section 9(5) only) are hereby further listed in respect of section 9(1) so far as it relates to killing and injuring.

(5) The Carthusian Snail (*Monacha cartusiana*) and the Chequered Skipper butterfly (*Carterocephalus palaemon*) are hereby removed from Schedule 5 to the Act.

Variation of Schedule 8

3. The following plants are hereby added to Schedule 8 to the Act:

<i>Common Name</i>	<i>Scientific Name</i>
Adder's-tongue, Least	<i>Ophioglossum lusitanicum</i>
Cabbage, Lundy	<i>Rhynchosinapis wrightii</i>
Colt's-foot, Purple	<i>Homogyne alpina</i>
Cottongrass, Slender	<i>Eriophorum gracile</i>
Crocus, Sand	<i>Romulea columnnae</i>
Cudweed, Red-tipped	<i>Filago lutescens</i>
Fleabane, Alpine	<i>Erigeron borealis</i>
Fleabane, Small	<i>Pulicaria vulgaris</i>
Gentian, Fringed	<i>Gentianella ciliata</i>
Germander, Cut-leaved	<i>Teucrium botrys</i>
Goosefoot, Stinking	<i>Chenopodium vulvaria</i>
Grass-poly	<i>Lythrum hyssopifolia</i>
Hawk's-beard, Stinking	<i>Crepis foetida</i>
Helleborine, Young's	<i>Epipactis youngiana</i>
Horsetail, Branched	<i>Equisetum ramosissimum</i>
Hound's-tongue, Green	<i>Cynoglossum germanicum</i>
Marshwort, Creeping	<i>Apium repens</i>
Milk-parsley, Cambridge	<i>Selinum carvifolia</i>
Naiad, Holly-leaved	<i>Najas marina</i>
Pennyroyal	<i>Mentha pulegium</i>
Pigmyweed	<i>Crassula aquatica</i>
Ragwort, Fen	<i>Senecio paludosus</i>
Ramping-fumitory, Martin's	<i>Fumaria martinii</i>
Restharrow, Small	<i>Ononis reclinata</i>
Rock-cress, Alpine	<i>Arabis alpina</i>
Rock-cress, Bristol	<i>Arabis stricta</i>
Speedwell, Fingered	<i>Veronica triphyllos</i>
Star-of-Bethlehem, Early	<i>Gagea bohemica</i>
Stonewort, Foxtail	<i>Lamprothamnium papulosum</i>
Strapwort	<i>Corrigiola litoralis</i>
Viper's-grass	<i>Scorzonera humilis</i>

19th February 1988

Nicholas Ridley
One of Her Majesty's Principal Secretaries of State

EXPLANATORY NOTE

(This note is not part of the Order)

This Order, which applies throughout Great Britain, varies Schedules 5 and 8 to the Wildlife and Countryside Act 1981, which list animals and plants protected under that Act.

Article 2 adds a number of animals generally to Schedule 5, confers limited protection on one animal, extends the protection already afforded to three animals, and removes two animals from protection.

Article 3 adds thirty-one plants to Schedule 8.