

**DRAFT CONSERVATION OF WILDLIFE (JERSEY) LAW 199
(P.223/98): THIRD AMENDMENTS**

**Lodged au Greffe on 27th April 1999
by Deputy G.C.L. Baudains of St. Clement**



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Report

The purpose of my amendment to Article 5 is to allow a person to defend against a bird attack or deal with a problem caused by a protected wild bird *on their own property* without the need to employ a licensed operator or spend enormous amounts on repellants.

My amendment to Article 9 is to allow for the trapping of crow and magpie. These birds cause extensive damage to crops such as maize and cereals and are exceptionally difficult to scare off or shoot. The only effective way is to trap them in a cage by means of a decoy (suitably fed and watered). Such crop preservation would be illegal under the Law as drafted unless done under a licence, the issue of which is by no means certain.

AMENDMENTS OF DRAFT CONSERVATION OF WILDLIFE
(JERSEY) LAW 199- (P.223 of 1998)

PAGES 16 TO 17, ARTICLE 5 -

(a) *in paragraph (1), for “paragraphs (2) and (3)” substitute “paragraphs (2) to (4)”;*

(b) *after paragraph (3) insert -*

“(4) A person shall not be found guilty of an offence under paragraph (1) as respects any act relating to a protected wild bird which is not also a specially protected wild bird if he satisfies the court that the act was -

(a) to defend himself or another person against actual or imminent injury; or

(b) to prevent or stop serious damage to any land of which he is the owner or the authorized agent of the owner.

(5) In paragraph (4), “owner” includes a usufructuary owner and the occupier of the land.”;

(c) *renumber paragraphs (4) and (5) respectively as paragraphs (6) and (7).*

PAGES 21 TO 23, ARTICLE 9 -

(a) *in paragraph (1), for “paragraphs (2) to (4)” substitute “paragraphs (2) to (5)”;*

(b) *after paragraph (2) insert -*

“(3) Paragraph (1) does not apply to any person setting or using a Larsen trap for the purpose of taking, in the interests of public health, agriculture, forestry,

fisheries or nature conservation, any carrion crow (*Corvus corone*) or magpie (*Pica pica*).”;

- (c) *renumber paragraphs (3), (4), (5) and (6) respectively as paragraphs (4), (5), (6) and (7).*

DEPUTY G.C.L. BAUDAINS OF ST. CLEMENT