

# UK Wildlife Legislation & Collections

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# Guidance

**THIS IS NOT LEGAL ADVICE!**

I am not a lawyer and this information is an incomplete interpretation of the legislation.

# Acknowledgements

I would like to thank Alex Morss for providing much of the guidance used to prepare this presentation

UK wildlife laws protect species and sites and come from 3 sources:

## **1. European laws**

- E.g. Habitats Directive/Conservation of Habitats and Species/ Birds Directive.
- Give special protected status to listed European Protected Species e.g. all bats, great crested newts, otters, dormice, some plants.

## 2. Domestic laws

- E.g. Wildlife and Countryside Act 1981 / Protection of Badgers Act 1992 / Species of Principal Importance listed under S41 of the Natural Environmental and Rural Communities Act 2006 / Circular 06 2005: Biodiversity and Geological Conservation / TAN 5
- Defra core guidance for developers, regulators and land/marine managers
- EU Commission guidance: Articles 12 and 16 of Habitats Directive / Natura 2000 Sites

**3. Policy** – E.g. sites designated under planning policy/ local gov. bylaws / Planning Policy Framework.

N.B. A pending Law Commission Wildlife Law Review started in 2014 is intending to consolidate current UK wildlife laws

# Licenses

A licence is not required to possess specimens taken lawfully prior to 10<sup>th</sup> June 1994, are captive bred or are exempted species – i.e. species not listed on Annex IV or Annex II(b) of the EC Habitats Directive. See:  
[tinyurl.com/EUHabitatsDirective](http://tinyurl.com/EUHabitatsDirective)

Licence CL01 permits museums to possess and transport dead specimens of certain plants and animals for scientific or educational purposes

[tinyurl.com/licence-CL01](http://tinyurl.com/licence-CL01)

# Licenses

Notify Natural England in writing within one month of first possessing a specimen.

Wildlife Licensing (science, education and conservation), Natural England, First Floor, Temple Quay House, 2 The Square, Bristol, BS1 6DG

Email: [wildlife.scicons@naturalengland.org.uk](mailto:wildlife.scicons@naturalengland.org.uk)

Telephone: 0300 060 3900



# Licenses

## **How to report your actions**

You must keep a register of any specimens or derivatives that you possess in relation to this licence. This information must be updated annually and be made available for inspection at any time by Natural England.

Ordinarily, licences will be reissued on 1 January each year (*NB you do not need to re-register for those with registration requirements*).

# Guidance for taxidermy

Commercial taxidermists need to have registered sites and hold a GL02 (to get this you must be a full member of the Guild of Taxidermists)

You don't need to have a registered site to make game trophies or taxidermy pieces that aren't to be sold commercially

# Disposing of material

Category 1 ABPs are classed as high risk:

- carcasses of wild animals suspected of being infected with a disease that humans or animals could contract
- carcasses of animals used in experiments
- carcasses and body parts from zoo and circus animals or pets

# Disposing of material

Category 3 ABPs are classed as low risk:

- animal hides, skins, hooves, feathers, wool, horns, and hair that had no signs of infectious disease at death

# Disposing of material

- “Waste” from legally acquired and held specimens is defined by user & can be disposed of in an appropriate manner without issue, as long as it is not thought to be from a diseased animal.
- EXCEPT invasive species in Schedule 9 of WAC 1981 which are classified as controlled waste and **cannot** be disposed of except through an appropriately licensed contractor

# Egg update



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An amendment to the Wildlife and Countryside Act in 2004 meant that an individual would now have to show that any egg(s) in their possession had been taken before 1954. This change was not consulted on.

Consultation was undertaken between 14<sup>th</sup> Oct and 9<sup>th</sup> Dec 2014 on whether to revert back to the “Pre – 1981 Defence or maintain the “Pre-1954 Defence.

# Egg update

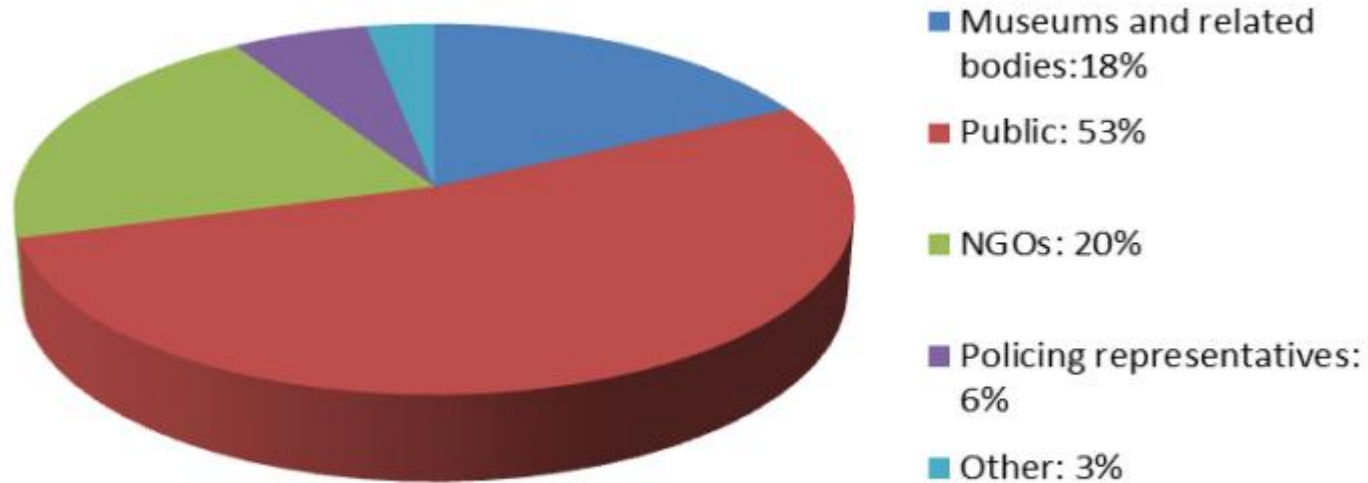
A summary of responses and the government response to the consultation on proposed legislation in England and Wales was published by DEFRA in January 2016

[tinyurl.com/egg-update](http://tinyurl.com/egg-update)



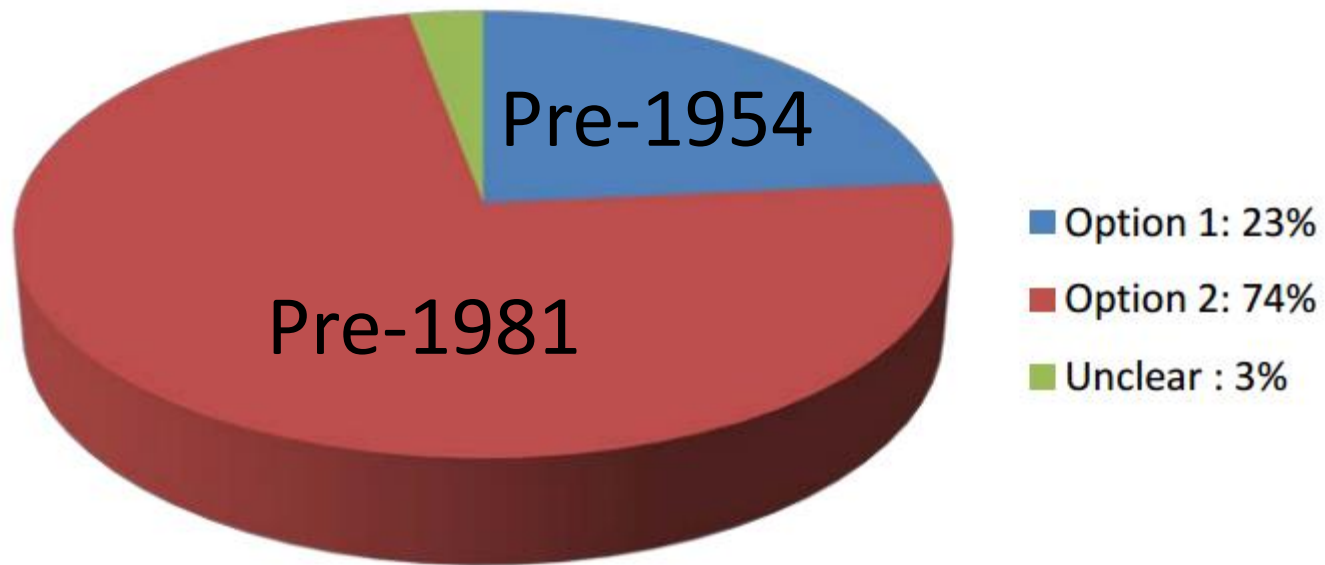
# Egg update

## Breakdown of the 34 respondents



# Egg update

## Responses received



# Egg update

- There would be no significant benefit to wildlife conservation in maintaining the Pre- 1954 exception.
- Reinstating the Pre-1981 defence is a proportionate response to, what is now, a declining activity.
- The 1981 Act, including the Pre-1981 defence, was fully scrutinised when the Bill went through Parliament.
- The Pre-1981 defence complies with the requirements of the EU Wild Birds Directive but avoids 'gold-plating' in line with current UK Government policy.
- Historical collections with scientific value would be preserved for research purposes.

# Egg update

Legally collected post-1981 eggs can be held with a license from Natural England or Natural Resources Wales

There is no charge for these licenses