



Conservation of Seals Act 1970

1970 CHAPTER 30

10 Power to grant licences.

- (1) A licence may be granted to any person by the Secretary of State authorising that person, notwithstanding anything in the foregoing provisions of this Act, but subject to compliance with any conditions specified in the licence,—
- (a) for scientific or educational purposes to kill or take within an area specified in the licence by any means so specified other than by the use of strychnine any number of seals so specified;
 - (b) for the purposes of any zoological gardens or collection specified in the licence to take within an area specified in the licence by any means so specified any number of seals so specified;
 - (c) for—
 - (i) the prevention of damage to fisheries;
 - (ii) the reduction of a population surplus of seals for management purposes; . . . ^{F1}
 - (iii) the use of a population surplus of seals as a resource, [^{F2}or]
 - [^{F3}(iv) the protection of flora or fauna in an area to which subsection (4) of this section applies,]to kill or take within any area specified in the licence by any means so specified other than by the use of strychnine any number of seals so specified.
- (2) A licence granted under this section may be revoked at any time by the Secretary of State and, without prejudice to any other liability to a penalty which he may have incurred under this or any other Act, any person who contravenes or fails to comply with any condition imposed on the grant of a licence under this section shall be guilty of an offence.
- (3) The Secretary of State—
- (a) shall consult the Council before granting a licence under this Act; and
 - (b) except in relation to the prevention of damage to fisheries shall not without the consent of [^{F4}the Nature Conservancy Council] grant a licence to kill or take seals in [^{F5}an area to which subsection (4) of this section applies]

Status: Point in time view as at 30/01/2001. This version of this provision has been superseded.

Changes to legislation: There are currently no known outstanding effects for the Conservation of Seals Act 1970, Section 10. (See end of Document for details)

- [^{F6}(4) This subsection applies to any area which—
- (a) is a nature reserve within the meaning of section 15 of the National Parks and Access to the Countryside Act 1949;
 - [^{F7}(b) is a site of special scientific interest (within the meaning of the Wildlife and Countryside Act 1981); or]
 - [^{F8}(c) is an area to which section 29(3) of that Act (special protection for certain areas of special scientific interest) applies; or]
 - (d) has been designated as a marine nature reserve under section 36 of that Act.]
- [^{F9}(5) In this section a reference to “the Nature Conservancy Council” is a reference to the [^{F10}English Nature], [^{F11}Scottish Natural Heritage] or the Countryside Council for Wales, according as the area in question is in or is in waters adjacent to England, Scotland or Wales.]

Textual Amendments

- F1** Word repealed by [Wildlife and Countryside Act 1981 \(c. 69, SIF 4:5\)](#), s. 73, [Sch. 17 Pt. II](#)
- F2** Word inserted by [Wildlife and Countryside Act 1981 \(c. 69, SIF 4:5\)](#), s. 12, [Sch. 7 para. 7\(1\)](#)
- F3** S. 10(1)(c)(iv) inserted by [Wildlife and Countryside Act 1981 \(c. 69, SIF 4:5\)](#), s. 12, [Sch. 7 para. 7\(1\)](#)
- F4** Words substituted by [Nature Conservancy Council Act 1973 \(c. 54\)](#), [Sch. 1 para. 10](#)
- F5** Words substituted by [Wildlife and Countryside Act 1981 \(c. 69, SIF 4:5\)](#), s. 12, [Sch. 7 para. 7\(2\)](#)
- F6** S. 10(4) inserted by [Wildlife and Countryside Act 1981 \(c.69, SIF 4:5\)](#), s. 12, [Sch. 7 para. 7\(3\)](#)
- F7** S. 10(4)(b) substituted (30.1.2001) by 2000 c. 37, ss. 76(1), 103(2), [Sch. 10 Pt. II para. 4](#)
- F8** S. 10(4)(c) and the following word repealed (E.W.) (30.1.2001) by 2000 c. 37, ss. 102, 103(2), [Sch. 16 Pt. III](#) (but by [S.I. 2001/114, art. 2](#), and [S.I. 2001/1410, art. 2](#), the commencement of the said Sch. 16 Pt. III is purported to be 30.1.2001 for E. and 1.5.2001 for W. respectively)
- F9** S. 10(5) inserted (1.4.1991) by [Environmental Protection Act 1990 \(c. 43, SIF 46:4\)](#), s. 132, [Sch. 9 para. 5](#); [S.I. 1991/685, art. 3](#)
- F10** Words in s. 10(5) substituted (30.1.2001) by 2000 c. 37, ss. 73(4), 103(2), [Sch. 8 para. 1\(d\)](#)
- F11** Words in s. 10(5) substituted (1.4.1992) by [Natural Heritage \(Scotland\) Act 1991 \(c. 28, SIF 46:1\)](#), s. 4(5), [Sch. 2 para. 4](#); [S.I. 1991/2633, art. 4](#).

Status:

Point in time view as at 30/01/2001. This version of this provision has been superseded.

Changes to legislation:

There are currently no known outstanding effects for the Conservation of Seals Act 1970, Section 10.