



Wildlife and Countryside Act 1981

CHAPTER 69

WILDLIFE AND COUNTRYSIDE ACT 1981

PART I

WILDLIFE

Protection of birds

- 1 Protection of wild birds, their nests and eggs.
- 2 Exceptions to s. 1.
- 3 Areas of special protection.
- 4 Exceptions to ss. 1 and 3.
- 5 Prohibition of certain methods of killing or taking wild birds.
- 6 Sale etc. of live or dead wild birds, eggs etc.
- 7 Registration etc. of certain captive birds.
- 8 Protection of captive birds.

Protection of other animals

- 9 Protection of certain wild animals.
- 10 Exceptions to s. 9.
- 11 Prohibition of certain methods of killing or taking wild animals.
- 12 Protection of certain mammals.

Protection of plants

- 13 Protection of wild plants.

Miscellaneous

- 14 Introduction of new species etc.
- 14ZA Sale etc. of invasive non-native species

Status: Point in time view as at 14/07/2004.

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- 14ZB Codes of practice in connection with invasive non-native species
- 14A Prohibition on sale etc. of certain animals or plants
- 14B Guidance: non-native species
- 15 Endangered species (import and export).
- 15A Possession of pesticides

Supplemental

- 16 Power to grant licences.
- 17 False statements made for obtaining registration or licence etc.
- 18 Attempts to commit offences etc.
- 18A Wildlife inspectors
- 18B Group 1 offences and licences: power to enter premises
- 18C Group 1 offences and licences: examining specimens and taking samples
- 18D Group 2 offences and licences etc.: power to enter premises
- 18E Group 2 offences: examining specimens and taking samples
- 18F Restrictions on taking of samples from live specimens
- 19 Enforcement.
- 19XA Constables' powers in connection with samples
- 19XB Offences in connection with enforcement powers
- 19ZA Enforcement: wildlife inspectors.
- 19ZB Power to take samples.
- 19ZC Wildlife inspectors: Scotland
- 19ZD Power to take samples: Scotland
- 19A Evidence in Scotland as to taking or destruction of eggs.
- 20 Summary prosecutions.
- 21 Penalties, forfeitures etc.
- 22 Power to vary Schedules.
- 23 Advisory bodies and their functions.
- 24 Functions of Nature Conservancy Council.
- 25 Functions of local authorities.
- 26 Regulations, orders, notices etc.
- 26A Enforcement of wildlife legislation
- 27 Interpretation of Part I.
- 27ZA Application of Part 1 to England and Wales

PART II

NATURE CONSERVATION, COUNTRYSIDE AND NATIONAL PARKS

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- 27A Construction of references to Nature Conservancy Council.
- 27AA Application of sections 28 to 34 in Wales
- 28 Sites of special scientific interest.
- 28A Variation of notification under section 28.
- 28B Notification of additional land.
- 28C Enlargement of SSSI.
- 28CA Guidance in relation to subtidal notifications of SSSIs
- 28CB Power to call in subtidal notifications
- 28D Denotification.
- 28E Duties in relation to sites of special scientific interest.
- 28F Appeals in connection with consents.
- 28G Statutory undertakers, etc.: general duty.

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- 28H Statutory undertakers, etc.: duty in relation to carrying out operations.
- 28I Statutory undertakers, etc.: duty in relation to authorising operations.
- 28J Management schemes.
- 28K Management notices.
- 28L Appeals against management notices.
- 28M Payments.
- 28N Compulsory purchase.
- 28P Offences.
- 28Q Change of owner or occupier.
- 28R Byelaws.
- 28S Notices and signs relating to SSSIs
- 29 Special protection for certain areas of special scientific interest.
- 30 Compensation where order is made under s. 29.
- 31 Restoration following offence under section 28P.
- 32 Duties of agriculture Ministers with respect to areas of special scientific interest.
- 33 Ministerial guidance as respects areas of special scientific interest.
- 34 Limestone pavement orders.
- 35 National nature reserves.
- 36 Marine nature reserves.
- 37 Byelaws for protection of marine nature reserves.
- 37A Ramsar sites.
- 38 Grants and loans by Nature Conservancy Council.

Nature reserves, marine nature reserves and Ramsar sites

- 34A Meaning of “appropriate conservation body”
- 35A Power to call in subtidal declarations

Countryside

- 39 Management agreements with owners and occupiers of land.
- 40 Experimental schemes.
- 41 Duties of agriculture Ministers with respect to the countryside.

National Parks

- 41A Application of sections 42 to 45 in Wales
- 42 Notification of agricultural operations on moor and heath in National Parks.
- 43 Maps of National Parks showing certain areas of moor or heath.
- 44 Grants and loans for purposes of National Parks.
- 45 Power to vary order designating National Park.
- 46 Membership of National Park authorities.

Miscellaneous and supplemental

- 47 Provisions with respect to the Countryside Commission.
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- 49 Extension of power to appoint wardens.
- 50 Payments under certain agreements offered by authorities.
- 51 Powers of entry.
- 51A Summary prosecutions
- 52 Interpretation of Part II.

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- 53A Power to include modifications in other orders.
- 53B Register of applications under section 53.
- 54 Duty to reclassify roads used as public paths.
- 54A BOATs not to be added to definitive maps.
- 55 No further surveys or reviews under the 1949 Act.
- 56 Effect of definitive map and statement.
- 57 Supplementary provisions as to definitive maps and statements.
- 57A Consolidation of definitive maps and statements.
- 58 Application of ss. 53 to 57 to inner London.

Miscellaneous and supplemental

- 59 Prohibition on keeping bulls on land crossed by public rights of way.
- 60
- 61 Ploughing of public rights of way.
- 62 Appointment of wardens for public rights of way.
- 63 Orders creating, extinguishing or diverting footpaths and bridleways.
- 64 Publication of dedication of footpaths and bridleways.
- 65 Signposting of byways open to all traffic.
- 66 Interpretation of Part III.

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MISCELLANEOUS AND GENERAL

- 66A Application of Part 1 to Crown
- 67 Application to Crown.
- 68 Application to the Isles of Scilly.
- 69 Offences by bodies corporate etc.
- 70 Financial provisions.
- 70A Service of notices.
- 70B Effect of failure to serve certain notices
- 71 General interpretation.
- 72 Minor amendments.
- 73 Repeals and savings.
- 74 Short title commencement and extent.

SCHEDULES

SCHEDULE ZA1 — Birds which re-use their nests

Schedule A1 — Protected nests and nest sites: birds

SCHEDULE 1 — Birds which are Protected by Special Penalties

Part I — AT ALL TIMES

Part II — DURING THE CLOSE SEASON

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Schedule 1A — Birds which are protected from harassment

SCHEDULE 2 — Birds Which May Be Killed or Taken

Part I — OUTSIDE THE CLOSE SEASON

Part II — BY AUTHORISED PERSONS AT ALL TIMES

SCHEDULE 3 — Birds which may be Sold

Part I — ALIVE AT ALL TIMES IF RINGED AND BRED IN CAPTIVITY

Part II — DEAD AT ALL TIMES

Part III — DEAD FROM 1ST SEPTEMBER TO 28TH FEBRUARY

SCHEDULE 4 — Birds Which Must Be Registered and Ringed if Kept in Captivity

SCHEDULE 5 — Animals which are Protected

SCHEDULE 6 — Animals which may not be Killed or Taken by Certain Methods

SCHEDULE 7 — PROTECTION OF CERTAIN MAMMALS

The Ground Game Act 1880

1 (1) Notwithstanding the provisions of section 6 of the Ground...

The Agriculture (Scotland) Act 1948

2 (1) Notwithstanding the provisions of section 50(1)(a) of the Agriculture...

The Dogs (Protection of Livestock) Act 1953

3 (1) At the end of subsection (2) of section 1...

The Deer Act 1963

4 For subsection (3) of section 10 of the Deer Act...

5 (1) After section 10 of that Act there shall be...

6 (1) In paragraph 1 of Schedule 2 to that Act...

The Conservation of Seals Act 1970

7 (1) In subsection (1)(c) of section 10 of the Conservation...

The Badgers Act 1973

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SCHEDULE 8 — Plants which are Protected

SCHEDULE 9 — Animals and plants to which section 14 applies

Part I — ANIMALS WHICH ARE ESTABLISHED IN THE WILD

Part II — PLANTS

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SCHEDULE 10 — Amendment of the Endangered Species (Import and Export) Act 1976

Part I — THE AMENDMENTS

Licences

- 1 (1) After subsection (3) of section 1 of the 1976...

Expenses of returning animals and plants to the wild

- 2 After subsection (8) of section 1 of the 1976 Act...

Powers of entry

- 3 After the subsection inserted by paragraph 2 as subsection (9)...

Power to modify Schedules

- 4 (1) In paragraph (c) of section 3 of the 1976...

Sale of certain animals or plants or their derivatives

- 5 (1) In subsection (1) of section 4 of the 1976...

Part II — SCHEDULE INSERTED AS SCHEDULE 4

SCHEDULE 4

ANIMALS THE SALE ETC. OF WHICH IS RESTRICTED

MAMMALS

- 1 The kinds of mammal specified in the first column below—...

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Marsupials

Primates

Edentates

Pangolins

Rabbits and hares

Rodents

Cetaceans

Carnivores

Seals

Elephants

Sea-cows

Odd-toed ungulates

Even-toed ungulates

BIRDS

- 2 The kinds of bird specified in the first column below—...

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Rheas

Tinamous

Penguins

Grebes

Albatrosses

Pelican-like birds

Storks

Waterfowl

Diurnal Birds of Prey

Gamebirds

Cranes and rails

Waders and Gulls

Pigeons and doves

Parrots

Hummingbirds

Trogons

Owls

Hornbills

Woodpeckers

Songbirds

— REPTILES THE KINDS OF REPTILE SPECIFIED IN THE FIRST
COLUMN BELOW—...

REPTILES

3 The kinds of reptile specified in the first column below—...

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Crocodylians

Iguanas

Lizards

Snakes

Tuatara

Chelonians

— AMPHIBIANS THE KINDS OF AMPHIBIAN SPECIFIED IN THE FIRST COLUMN...

AMPHIBIANS

The kinds of amphibian specified in the first column below—...

— FISH THE KINDS OF FISH SPECIFIED IN THE FIRST COLUMN BELOW—...

FISH

5 The kinds of fish specified in the first column below—...

— MOLLUSCS THE KINDS OF MOLLUSC SPECIFIED BELOW—
CONRADILLA CAELATA DROMUS DROMAS...

MOLLUSCS

6 The kinds of mollusc specified below— Conradilla caelata Dromus dromas...

Part III

SCHEDULE INSERTED AS SCHEDULE 5

SCHEDULE 5

PLANTS THE SALE ETC. OF WHICH IS RESTRICTED

SCHEDULE 10A — Delegation of appellate functions

Interpretation

1 In this Schedule— “ appointed person ” means a person...

Appointments

2 An appointment under section 28F(8) or 28L(10) must be in...

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Powers of appointed person

3 Subject to the provisions of this Schedule, an appointed person...

Holding of local inquiries and other hearings by appointed persons

4 (1) If either of the parties to an appeal or...

Revocation of appointments and making of new appointments

5 (1) Where under paragraph 2(c) the appointment of the appointed...

*Certain acts and omissions of appointed persons
to be treated as those of the Secretary of State*

6 (1) Anything done or omitted to be done by an...

SCHEDULE 11 — Procedure in connection with Certain Orders under Part II

Coming into operation

1 (1) An original order or a restrictive amending order shall...

Publicity for orders

2 (1) Where an order takes effect immediately, the authority making...

Unopposed orders

3 (1) Where an order made by a relevant authority takes...

Opposed orders

4 (1) If any representation or objection duly made with respect...

Restriction on power to amend orders or confirm them with modifications

5 The Secretary of State shall not by virtue of paragraph...

Notice of final decision on orders

6 (1) The Secretary of State shall as soon as practicable...

Proceedings for questioning validity of orders

7 (1) This paragraph applies to any order which has taken...

Interpretation

8 In this Schedule— “amending order” and “revoking order” mean an...

SCHEDULE 12 — Procedure in Connection With Orders Under Section 36

Consultation

1 Before making an order, the Secretary of State shall consult...

Publicity for draft orders

2 (1) Before making an order, the Secretary of State shall...

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Unopposed orders

3 If no representations or objections are duly made, or if...

Opposed orders

4 (1) If any representation or objection duly made is not...

Restriction on power to make orders with modifications

5 (1) The Secretary of State shall not make an order...

Local inquiries

6 (1) The provisions of subsections (2) to (5) of section...

Notice of making of orders

7 (1) As soon as practicable after an order is made,...

Proceedings for questioning validity of orders

8 (1) If any person is aggrieved by an order which...

Supplemental

9 (1) In this Schedule— “area” includes district or Welsh county...

SCHEDULE 13 — Provisions With Respect to the Countryside Commission

Status

1 The Commission shall be a body corporate.
2 The Commission shall not be regarded as the servant or...

Members

3 (1) The Commission shall consist of a chairman and such...
4 (1) The Commission— (a) shall pay to their members such...

Committee for Wales

5

Procedure

6 The procedure (including the quorum) of the Commission shall be...
7 The validity of any proceeding of the Commission shall not...

Staff

8 (1) The Commission shall appoint— (a) with the approval of...
9 (1) The Commission shall in the case of such of...
10 (1) Employment with the Commission shall be included among the...

Accounts and report

11 (1) The Commission shall keep proper accounts and other records, ...
12 The Commission shall furnish the Secretary of State with such...

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- 13 (1) The Commission shall, as soon as possible after the...

Land

- 14 The Commission, for the purpose of providing themselves with office...
15 Any land occupied by the Commission shall, for the purpose...

Interpretation

- 16 In this Schedule— “appointed day” means the day appointed for...

SCHEDULE 14 — Applications for Certain Orders Under Part III

Form of applications

- 1 An application shall be made in the prescribed form and...

Notice of applications

- 2 (1) Subject to sub-paragraph (2), the applicant shall serve a...

Determination by authority

- 3 (1) As soon as reasonably practicable after receiving a certificate...

Appeal against a decision not to make an order

- 4 (1) Where the authority decide not to make an order,...

Interpretation

- 5 (1) In this Schedule— “application” means an application under section...

SCHEDULE 15 — Procedure in Connection with Certain Orders Under Part III

Consultation

- 1 Before making an order, the authority shall consult with every...

Coming into operation

- 2 An order shall not take effect until confirmed either by...

Publicity for orders

- 3 (1) On making an order, the authority shall give notice...

Representations or objections made with respect to abandoned surveys or reviews

- 4 (1) This paragraph applies where a survey begun under sections...

Severance of orders

- 5 (1) Where at any time representations or objections duly made...

Unopposed orders

- 6 (1) If no representations or objections are duly made, or...

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Opposed orders

7 (1) If any representation or objection duly made is not...

Restriction on power to confirm orders with modifications

8 (1) The Secretary of State shall not confirm an order...

Local inquiries

9 The provisions of subsections (2) to (5) of section 250...

Appointment of inspectors etc.

10 (1) A decision of the Secretary of State under paragraph...

Hearings and local inquiries

10A (1) Subject to sub-paragraph (2), subsections (2) to (5) of...

Notice of final decisions on orders

11 (1) As soon as practicable after a decision to confirm...

Proceedings for questioning validity of orders

12 (1) If any person is aggrieved by an order which...

Supplemental

13 (1) The Secretary of State may, subject to the provisions...

SCHEDULE 16 — Orders Creating, Extinguishing or Diverting Footpaths or
Bridleways

1—4

The Highways Act 1980

5 (1) In subsection (1) of section 119 of the Highways...

6 (1) In sub-paragraphs (1)(b) and 2(b) of paragraph I of...

7 After paragraph 2 of that Schedule there shall be inserted...

8 (1) In paragraph 4 of that Schedule after the words...

9 After that paragraph there shall be inserted the following paragraph—...

Supplemental

10 (1) The amendments made by the foregoing provisions of this...

SCHEDULE 17 — Enactments repealed

Part I — ENACTMENTS REPEALED ONE MONTH AFTER THE PASSING OF
THIS ACT

Part II — ENACTMENTS REPEALED ON A DAY TO BE APPOINTED

Status:

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