



# 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

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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 GB conservation bodies
- 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

#### *Sites of special scientific interest and limestone pavements*

- 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.

*Nature reserves, marine nature reserves and Ramsar sites*

- 34A Meaning of “appropriate conservation body”
- 35 National nature reserves.
- 35A Power to call in subtidal declarations
- 36 Marine nature reserves.
- 37 Byelaws for protection of marine nature reserves.
- 37A Ramsar sites.
- 38 .....

*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.
- 48 .....
- 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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### PART III

#### PUBLIC RIGHTS OF WAY

##### *Ascertainment of public rights of way*

- 53 Duty to keep definitive map and statement under continuous review.
- 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.

### PART IV

#### MISCELLANEOUS AND GENERAL

- 66A Application of Part 1 to Crown
- 67 Application of Parts 2 and 3 to Crown land
- 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.

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### 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*

8 .....

9 .....

10 .....

11 .....

12 .....

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...

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 —

*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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