



Wildlife and Countryside Act 1981

CHAPTER 69

WILDLIFE AND COUNTRYSIDE ACT 1981

PART I

WILDLIFE

Protection of birds and prevention of poaching

- 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 and prevention of poaching

- 9 Protection of certain wild animals.
- 10 Exceptions to s. 9.
- 10A Protection of wild hares etc.
- 10B Exceptions to s. 10A
- 11 Prohibition of certain methods of killing or taking wild animals.
- 11G Prevention of poaching: wild hares, rabbits etc.
- 11H Exceptions to s. 11G
- 11I Sale, possession etc. of wild hares, rabbits etc. killed or taken unlawfully
- 12 Protection of certain mammals.

Status: Point in time view as at 31/10/2011.

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Protection of plants

13 Protection of wild plants.

Miscellaneous

- 14 Introduction of new species etc.
- 14ZA Sale etc. of invasive non-native species
- 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.
- 16A Delegation of licence-granting power: Scotland
- 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 in certain proceedings.
- 20 Proceedings for summary offences.
- 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.

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- 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.
- 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.

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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.

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

Note. The common name or names given in the first...

SCHEDULE 1A — Birds which are Protected from Harassment

SCHEDULE 2 — Birds which may be Killed or Taken

Part I — OUTSIDE THE CLOSE SEASON

Part IA — EXCEPTION: BIRDS INCLUDED IN PART I WHICH MAY NOT BE
KILLED OR TAKEN ON SUNDAYS OR CHRISTMAS DAY

Part II — BY AUTHORISED PERSONS AT ALL TIMES

Note. The common name or names given in the first...

SCHEDULE 3 — Birds which may be Sold

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

Part IA — ALIVE IF TAKEN IN CAPTIVITY OR BY CERTAIN PERSONS OUTSIDE
CLOSE SEASON OR DURING FIRST 28 DAYS OF CLOSE SEASON

Part II — DEAD AT ALL TIMES

Part IIA — DEAD IF KILLED OUTSIDE CLOSE SEASON BY CERTAIN PERSONS

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

Note. The common name or names given in the first...

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

Note. The common name or names given in the first...

SCHEDULE 5 — Animals which are Protected

Note. The common name or names given in the first...

NOTE 2. ...

SCHEDULE 5A — Animals which are Protected under Section 10A in their Close
Season

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

Note. The common name or names given in the first...

SCHEDULE 6A — Animals not to be Poached

SCHEDULE 7 — Protection of Certain Mammals

The Ground Game Act 1880

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

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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 Protection of Certain Mammals
9 Protection of Certain Mammals
10 Protection of Certain Mammals
11 Protection of Certain Mammals
12 Protection of Certain Mammals

SCHEDULE 8 — Plants which are Protected

Note. The common name or names given in the first...

SCHEDULE 9 — Animals and Plants to which Section 14 Applies

Part I — ANIMALS WHICH ARE ESTABLISHED IN THE WILD

Part II — PLANTS

Note. The common name or names given in the first...

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...

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Part II — SCHEDULE INSERTED AS SCHEDULE 4

SCHEDULE 4

ANIMALS THE SALE ETC. OF WHICH IS RESTRICTED

This Schedule applies to the following kinds of animals, namely—...

MAMMALS

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

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

This Schedule applies to the kinds of plant specified in...

SCHEDULE 10A — Delegation of Appellate Functions

Interpretation

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

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Appointments

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

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 Procedure in Connection with Certain Orders under Part II

Publicity for orders

- 2 Procedure in Connection with Certain Orders under Part II

Unopposed orders

- 3 Procedure in Connection with Certain Orders under Part II

Opposed orders

- 4 Procedure in Connection with Certain Orders under Part II

Restriction on power to amend orders or confirm them with modifications

- 5 Procedure in Connection with Certain Orders under Part II

Notice of final decision on orders

- 6 Procedure in Connection with Certain Orders under Part II

Proceedings for questioning validity of orders

- 7 Procedure in Connection with Certain Orders under Part II

Interpretation

- 8 Procedure in Connection with Certain Orders under Part II

SCHEDULE 12 — Procedure in Connection With Orders Under Section 36

Consultation

- 1 Procedure in Connection With Orders Under Section 36

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Publicity for draft orders

2 Procedure in Connection With Orders Under Section 36

Unopposed orders

3 Procedure in Connection With Orders Under Section 36

Opposed orders

4 Procedure in Connection With Orders Under Section 36

Restriction on power to make orders with modifications

5 Procedure in Connection With Orders Under Section 36

Local inquiries

6 Procedure in Connection With Orders Under Section 36

Notice of making of orders

7 Procedure in Connection With Orders Under Section 36

Proceedings for questioning validity of orders

8 Procedure in Connection With Orders Under Section 36

Supplemental

9 Procedure in Connection With Orders Under Section 36

SCHEDULE 13 —

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...

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

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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...

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 Procedure in Connection with Certain Orders Under Part III

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 Orders Creating, Extinguishing or Diverting Footpaths or Bridleways

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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 1 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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