



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.
- 11A Snares: training, identification numbers, tags etc.
- 11B Snares: duty to inspect etc.
- 11C Snares: authorisation from landowners etc.
- 11D Snares: presumption arising from identification number
- 11E Snares: record keeping
- 11F Snaring: review and report to the Scottish Parliament
- 11G Prevention of poaching: wild hares, rabbits etc.

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- 11H Exceptions to s. 11G
- 11I Sale, possession etc. of wild hares, rabbits etc. killed or taken unlawfully
- 12YA Relaxation of restriction on night shooting of hares and rabbits
- 12 Protection of certain mammals.

Protection of plants

- 13 Protection of wild plants.

Miscellaneous

- 14 Introduction of new species etc.
- 14ZA Sale etc. of certain animals and plants included in Schedule 9
- 14ZB Codes of practice in connection with species which are non-native or included in Schedule 9
- 14ZC Prohibition on keeping etc. of invasive animals or plants
- 14A Prohibition on sale etc. of invasive animals or plants
- 14AA Contravention of Invasive Alien Species Regulation
- 14B Notification of presence of invasive animals or plants etc.
- 14C Non-native species etc.: code of practice
- 14D Power to make species control orders
- 14E Emergency species control orders
- 14F Content of species control orders
- 14G Notice of species control orders
- 14H Appeals in connection with species control orders
- 14I Coming into effect of species control orders
- 14J Review of species control orders
- 14K Offences in relation to species control orders
- 14L Enforcement of operations under species control orders
- 14M Species control orders: powers of entry
- 14N Species control orders: entry by warrant etc.
- 14O Species control orders: powers of entry: supplemental
- 14P Interpretation of sections 14 to 14O
- 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, identification number 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

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- 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
- 26B Annual report on wildlife crime
- 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.
 - 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.

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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 Grants to the Countryside Council for Wales
- 48 Miscellaneous and supplemental
- 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.
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- 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
- 66B Application of Part 1 to Crown: Scotland
- 67 Application of Parts 2 and 3 to Crown land
- 68 Application to the Isles of Scilly.
- 69 Offences by bodies corporate etc.
- 69A Offences by Scottish partnerships 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

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

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

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

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SCHEDULE 5 — Animals which are Protected

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

SCHEDULE 6ZA — Animals which may not be killed or taken by trapping or snaring

SCHEDULE 6A — Animals not to be Poached

SCHEDULE 7 — Amendment of Acts In Relation To Night Shooting of Hares and Rabbits

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 Amendment of Acts In Relation To Night Shooting of Hares and Rabbits
9 Amendment of Acts In Relation To Night Shooting of Hares and Rabbits
10 Amendment of Acts In Relation To Night Shooting of Hares and Rabbits
11 Amendment of Acts In Relation To Night Shooting of Hares and Rabbits
12 Amendment of Acts In Relation To Night Shooting of Hares and Rabbits

SCHEDULE 8 — Plants which are Protected

SCHEDULE 9 — Animals and Plants to which Section 14 Applies

Part I — NON-NATIVE ANIMALS WHICH ARE ESTABLISHED IN THE WILD

PART IA — NATIVE ANIMALS

PART IB — ANIMALS NO LONGER NORMALLY PRESENT

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Part II — PLANTS

SCHEDULE 9A — Species control agreements and orders (England and Wales)

PART 1 — OVERVIEW AND INTERPRETATION

Overview

- 1 (1) This Schedule provides for— (a) species control agreements between...

Definitions relating to species

- 2 (1) “Species ” means any kind of animal or...

Environmental authorities

- 3 (1) “Environmental authority ”, in relation to premises in...

Owners and dwellings

- 4 (1) “Owner ”, in relation to premises consisting of...

Operations

- 5 (1) “Species control operations” are operations to do one or...

PART 2 — SPECIES CONTROL AGREEMENTS

Making of species control agreements

- 6 (1) An environmental authority may enter into a “species control...

Content of species control agreements

- 7 (1) A species control agreement must provide for—

Notice of compliance

- 8 Where an environmental authority considers that an owner of premises...

Liability

- 9 An environmental authority is not liable to a person with...

PART 3 — SPECIES CONTROL ORDERS

When a species control order may be made

- 10 (1) An environmental authority may make a species control order...

What an order must do

- 11 (1) A species control order under paragraph 10(2)(a) or (b)...

- 12 (1) A species control order must— (a) specify the species...

What an order may do

- 13 (1) A species control order may contain provision supplementary to...

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Notice

- 14 (1) After making a species control order, an environmental authority...

Revocation

- 15 (1) An environmental authority may at any time revoke a...

Appeals

- 16 (1) An owner of premises in relation to which a...

Notice of compliance

- 17 Where an environmental authority considers that an owner of premises...

Enforcement

- 18 (1) This paragraph applies where an environmental authority considers that...

Offences

- 19 (1) A person who, without reasonable excuse, fails to comply...

Liability

- 20 (1) An owner of premises is not liable to any...
PART 4 — POWERS OF ENTRY

Powers of entry

- 21 (1) A person who is authorised to do so may...

Authorisation by justice of the peace

- 22 (1) To enter premises under paragraph 21 a person must...

Authorisation by environmental authority

- 23 (1) To enter premises under paragraph 21 in circumstances other...

Exercise of right of entry

- 24 (1) A right of entry under paragraph 21 is exercisable...
PART 5 — SUPPLEMENTARY

Compensation

- 25 (1) The Secretary of State and the Welsh Ministers may...

Codes of practice

- 26 (1) The Secretary of State must issue a code of...
27 (1) The Welsh Ministers must issue a code of practice...
28 (1) A person's failure to comply with a provision of...

SCHEDULE 9B — Invasive alien species: defences and licences

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Part 1 — INTERPRETATION

1 Interpretation

Part 2 — DEFENCES

2 Companion animals

3 (1) This paragraph applies where— (a) a person who keeps...

4 (1) This paragraph applies where— (a) a person is charged...

Part 3 — LICENCES

5 Restrictions

6 This paragraph applies if the licence— (a) is granted to...

7 This paragraph applies if— (a) the licence is granted for...

8 This paragraph applies if the licence is—

9 (1) This paragraph applies if the licence is granted for...

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

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

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Crocodylians

Iguanas

Lizards

Snakes

Tuatara

Chelonians

AMPHIBIANS

FISH

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

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...

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...

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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

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

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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

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...

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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

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...

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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

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