



Protection of Badgers Act 1992

1992 CHAPTER 51

Exceptions and licences

9 Exceptions from s. 4.

A person is not guilty of an offence under section 4 above by reason of having a live badger in his possession or under his control if—

- (a) it is in his possession or under his control, as the case may be, in the course of his business as a carrier; or
- (b) it has been disabled otherwise than by his [^{F1}unlawful] act and taken by him solely for the purpose of tending it [^{F2}and releasing it when no longer disabled] and it is necessary for that purpose for it to remain in his possession or under his control, as the case may be.

Textual Amendments

- F1** Word in S. 9(b) inserted (S.) (1.10.2004) by [Nature Conservation \(Scotland\) Act 2004 \(asp 6\)](#), s. 59(2), [Sch. 6 para. 26\(6\)\(a\)](#); S.S.I. 2004/407, art. 2(b)
- F2** Words in S. 9(b) inserted (S.) (1.10.2004) by [Nature Conservation \(Scotland\) Act 2004 \(asp 6\)](#), s. 59(2), [Sch. 6 para. 26\(6\)\(b\)](#); S.S.I. 2004/407, art. 2(b)

Changes to legislation:

There are currently no known outstanding effects for the Protection of Badgers Act 1992, Section 9.