

---

STATUTORY INSTRUMENTS

---

**1994 No. 2716**

**The Conservation (Natural Habitats, &c.) Regulations 1994**

[<sup>F1</sup>PART III

PROTECTION OF SPECIES

*Protection of animals*

[<sup>F1</sup>Prohibition of certain methods of taking or killing wild animals

- 41.—**(1) This regulation applies in relation to the taking or killing of a wild animal—
- (a) of any of the species listed in Schedule 3 to these Regulations (which shows the species listed in Annex V(a) to the Habitats Directive, and to which Article 15 applies, whose natural range includes any area of Great Britain), or
  - (b) of a European protected species, where the taking or killing of such animals is permitted in accordance with these Regulations.
- (2) It is an offence to use for the purpose of taking or killing any such wild animal—
- (a) any of the means listed in paragraph (3) or (4) below, <sup>F2</sup>...
  - (b) any form of taking or killing from the modes of transport listed in paragraph (5) below [<sup>F3</sup>, or
  - (c) any other means of taking or killing which is indiscriminate and capable of causing the local disappearance of, or serious disturbance to, a population of any species of animal listed in Schedule 3 to these Regulations or any European protected species of animal.]
- (3) The prohibited means of taking or killing of mammals are—
- (a) blind or mutilated animals used as live decoys;
  - (b) tape recorders;
  - (c) electrical and electronic devices capable of killing or stunning;
  - (d) artificial light sources;
  - (e) mirrors and other dazzling devices;
  - (f) devices for illuminating targets;
  - (g) sighting devices for night shooting comprising an electronic image magnifier or image converter;
  - (h) explosives;
  - (i) nets which are non-selective according to their principle or their conditions of use;
  - (j) traps which are non-selective according to their principle or their conditions of use;
  - (k) crossbows;
  - (l) poisons and poisoned or anaesthetic bait;

---

*Status: Point in time view as at 30/11/2020. This version of this provision has been superseded.*  
**Changes to legislation:** There are currently no known outstanding effects for the The Conservation (Natural Habitats, &c.) Regulations 1994, Section 41. (See end of Document for details)

---

- (m) gassing or smoking out;
  - (n) semi-automatic or automatic weapons with a magazine capable of holding more than two rounds of ammunition.
- (4) The prohibited means of taking or killing fish are—
- (a) poison;
  - (b) explosives.
- (5) The prohibited modes of transport are—
- (a) aircraft;
  - (b) moving motor vehicles.
- [<sup>F4</sup>(6) A person guilty of an offence under this regulation is liable—
- (a) on summary conviction, to imprisonment for a term not exceeding 12 months or a fine not exceeding £40,000 (or both),
  - (b) on conviction on indictment, to imprisonment for a term not exceeding 5 years or a fine (or both).]]

#### Textual Amendments

- F1** Regulations revoked (E.W.) (1.4.2010 except so far as relating to the revocation in relation to W. of reg. 36 and specified words in reg. 3(3), 12.12.2014 in so far as not already in force) by [The Conservation of Habitats and Species Regulations 2010 \(S.I. 2010/490\)](#), regs. 1(2)(4)(b), **133(3)** (with regs. 125, 134)
- F2** Word in reg. 41(2)(a) omitted (S.) (15.2.2007) by virtue of [The Conservation \(Natural Habitats, &c.\) Amendment \(Scotland\) Regulations 2007 \(S.S.I. 2007/80\)](#), regs. 2, **12(a)**
- F3** Reg. 41(2)(c) and word inserted (S.) (15.2.2007) by [The Conservation \(Natural Habitats, &c.\) Amendment \(Scotland\) Regulations 2007 \(S.S.I. 2007/80\)](#), regs. 2, **12(b)**
- F4** Reg. 41(6) substituted (30.11.2020) by [Animals and Wildlife \(Penalties, Protections and Powers\) \(Scotland\) Act 2020 \(asp 14\)](#), ss. **9(3)**, 22(2); S.S.I. 2020/379, reg. 2(1), sch. (with reg. 3)

#### Commencement Information

- I1** Reg. 41 in force at 30.10.1994, see [reg. 1\(2\)](#)

**Status:**

Point in time view as at 30/11/2020. This version of this provision has been superseded.

**Changes to legislation:**

There are currently no known outstanding effects for the The Conservation (Natural Habitats, &c.) Regulations 1994, Section 41.