



## **Licence to Sell Dead Birds**

**Guidance Note:** This licence permits the sale of dead birds (and parts of birds). Specific exclusions are listed, because sales of some species are already permitted under the Wildlife and Countryside Act 1981. For Schedule 3 Part III birds, this licence is only valid for part of the year. This licence permits all birds to be sold dead providing the conditions of the licence are met. Users must comply with the terms and conditions.

Natural England in exercise of the powers conferred by section 16(4)(a) and 16(5) of the Wildlife and Countryside Act 1981, as amended, ('the Act') and being satisfied that as regards the purpose set out at paragraph 1, there is no satisfactory alternative, hereby grants the following licence:

### **LICENCE**

- 1) The purpose of this licence is to permit the sale of any bird or derivative of any bird except those excluded in paragraph 2(i)
  - 2) Subject to the terms and conditions below, this licence permits:
    - (a) the sale (which in this licence includes hire, barter or exchange), offer or exposure for sale, possession or transport for the purpose of sale
    - (b) the publication or the causing to be published of any advertisement likely to be understood as the buying or selling, or the intention of buying or selling
- (i) At all times** - of any dead wild bird (or part of a bird) **except** birds listed on Part I of Schedule 2 or Parts II or III of Schedule 3 to the Act.
- (ii) Between 1 March and 31 August** – any bird listed on Schedule 3 Part III of the Act (listed below) (see note b)

<b>Capercaillie</b>	<b><i>Tetrao urogallus</i></b>
<b>Coot</b>	<b><i>Fulica atra</i></b>
<b>Duck, Tufted</b>	<b><i>Aythya fuligula</i></b>
<b>Mallard</b>	<b><i>Anas platyrhynchos</i></b>
<b>Pintail</b>	<b><i>Anas acuta</i></b>
<b>Plover, Golden</b>	<b><i>Pluvialis apricaria</i></b>
<b>Pochard</b>	<b><i>Aythya ferina</i></b>
<b>Shoveler</b>	<b><i>Anas clypeata</i></b>
<b>Snipe, Common</b>	<b><i>Gallinago gallinago</i></b>
<b>Teal</b>	<b><i>Anas crecca</i></b>
<b>Wigeon</b>	<b><i>Anas penelope</i></b>
<b>Woodcock</b>	<b><i>Scolopax rusticola</i></b>

- 3) Failure to act within the purpose of this licence as set out in paragraph 1 or failure to comply with the terms and conditions below may mean that the licence cannot be relied upon and an offence could therefore be committed. The maximum penalty available for an offence under the Act is a level 5 fine (£5000) and/or a six month custodial sentence.

## **TERMS AND CONDITIONS**

- 4) This licence does not apply to birds sold for human consumption.
- 5) This licence only applies to the sale of small numbers of dead birds, or any part or product of such dead birds that:
  - (a) were bred in captivity. A bird shall not be treated as being bred in captivity unless its parents were lawfully in captivity when the egg from which it hatched was laid. Documentary evidence of captive breeding must accompany any sale, or;
  - (b) were removed from the natural state within the United Kingdom under legal provisions in force in the United Kingdom. Documentary evidence that the bird was legally removed from the natural state must accompany any sale.
  - (c) are listed on Annex A of Council Regulation (EC) No. 338/97, and, where appropriate, an Article 10 certificate has first been obtained.
- 6) (a) Any person who sells a dead bird, or part or product of such a dead bird, under this licence ("the seller") shall keep a record ("the record"), for a minimum of two years from such sale. This record shall contain details of:
  - (i) the person from whom the seller acquired the bird or part or product of such a bird;
  - (ii) the person to whom the bird or part or product of such a bird was sold; and
  - (iii) the species of the bird sold, the cause of death (if known) and the age of the bird.(b) The seller must certify the record as accurate.  
(c) The seller shall, on being given reasonable notice in writing by Natural England produce the record to a person authorised in writing by the Secretary of State and the seller shall also permit such authorised person to inspect the record.
- 7) The seller shall submit to Natural England ([wildlife@naturalengland.org.uk](mailto:wildlife@naturalengland.org.uk)), by **31 December** of each year a report giving details of any sale by him in that year of any dead bird, or part or product of such a dead bird which in either case has not previously been sold. the report shall also:-
  - (a) state how the seller acquired each bird or part or product of such a bird; and
  - (b) list the type and number of each species sold.
- 8) This licence is valid in England, unless previously revoked, for the period from **01 January xxxx** to **31 December xxxx**.

for and on behalf of Natural England  
1 January xxxx

Wildlife Licensing Unit  
Natural England  
Burghill Road, Westbury-on-Trym  
Bristol BS10 6NJ  
T 0845 601 4523 F 0845 601 3438  
Email [wildlife@naturalengland.org.uk](mailto:wildlife@naturalengland.org.uk)

---

## **NOTES**

**These notes do not form part of the licence.**

- (a) A licence in similar terms has been issued by the Scottish Executive in respect of Scotland and the National Assembly for Wales in respect of Wales.

- (b) This licence permits the sale of dead birds that would otherwise be an offence under Section 6(2) of the Wildlife and Countryside 1981 (as amended). The sale of dead Schedule 3 Part II birds is already permitted by the Act. The sale of dead Schedule 3 Part III birds is permitted by the Act between 1 September and 28 February, so this licence only permits their sale at other times.
  - (c) This licence may be modified or revoked at any time.
- 

DRAFT