

GENERAL LICENCE

To possess and transport dead specimens of animal species listed on Annex IV of the Habitats Directive for scientific or educational purpose



OVERVIEW

This licence permits, for the purposes of science or education, the possession and transport of dead specimens and/or derivatives of wild animals listed on Annex IV to the EC Habitats Directive that would otherwise be an offence under regulations 43(3)(a) or (b) of The Conservation of Habitats and Species Regulations 2017.

This licence is only intended for use by full members of the Guild of Taxidermists.

Registration	This licence may only be used by members of the Guild of Taxidermists who have registered with Natural England (see Condition 1)
Recording & reporting	There is a data recording requirement (see Condition 4)
Reference	WML – GL02

LICENCE CONDITIONS

Legislation	The Conservation of Habitats and Species Regulations 2017 ('the 2017 Regulations')
Relevant section(s)	Regulations 55 and 57
Valid for the period	1 January 2019 to 31 December 2019 (inclusive)
Area valid in	All counties of England (landward of the mean low water mark)
Purpose(s) for which this licence is issued	for scientific or educational purposes
What this licence permits	Subject to the terms and conditions below, and solely for the purposes stated above, this licence permits: <ul style="list-style-type: none">• possession and transport of dead specimens and/or derivatives of wild animals listed on Annex IV to the EC Habitats Directive that would otherwise be an offence under regulations 43(3)(a) or (b) of the 2017 Regulations that:<ul style="list-style-type: none">i. are kept and transported for the purposes of science or education only, andii. were taken from the wild in the European Community without breaching applicable legislation of the Member State in question (see Information and Advice note d).
Who can use this licence	Full members of the Guild of Taxidermists, except those with a recent conviction (see Information and Advice note k).

LICENCE CONDITIONS

1. This licence may only be relied upon by full members of the Guild of Taxidermists.
2. Subject to Condition 3, any organisation or person relying on this licence by virtue of being a full member of the Guild of Taxidermists or by virtue of being an employee or subcontractor of a person or organisation that is a full member must notify Natural England Wildlife Licensing (contact details below) in writing by email or post, giving their contact details, including their email address, **within one month of the date of first possession** of a dead specimen or derivative of an animal or plant.
3. Where an organisation has notified Natural England in relation to Condition 2 above, those relying on this licence by virtue of being an employee or sub-contractor of that organisation do not need to separately notify Natural England.

Recording and reporting requirements

4. Specimens and derivatives must be catalogued and a register of specimens and derivatives must be kept and updated on an annual basis in accordance with the requirements of Annex A. This information is to be made available for inspection at any reasonable time by Natural England.

IMPORTANT

This licence authorises acts that would otherwise be offences under the legislation referred to above. Failure to comply with its terms and conditions:

- i. may be an offence against the 2017 Regulations or mean that the licence cannot be relied upon and an offence could therefore be committed. The maximum penalty available for an offence under the 1981 Act is, at the time of the issue of this licence, an unlimited fine and/or a six month custodial sentence; and
- ii. may result in your permission to use this licence being withdrawn. Natural England will inform any person or organisation whose permission to use this licence is withdrawn in writing. This sanction may be applied to other similar licences.

If the activity that you wish to undertake is not covered by this licence, or if you are unable to comply with any of the terms and conditions which apply to the use of this licence, then you will need to apply to Natural England for an individual licence.

Issued by and on behalf of Natural England on 1 January 2019

INFORMATION AND ADVICE specific to this licence

The Law

- a. Natural England has issued this licence in exercise of the powers conferred under Regulation 55 of the Conservation of Habitats and Species Regulations 2017 being satisfied that as regards the purpose set above:
 - i. there is no satisfactory alternative, and
 - ii. that the action authorised will not be detrimental to the maintenance of the populations of the species concerned at a favourable conservation status in their natural range.
- b. The possession and transport of dead specimens and/or derivatives of species listed on Annex IV to the EC Habitats Directive (92/43/EEC) are prohibited by regulations 43(3)(a) or (b) of the 2017 Regulations. Visit [Legislation.gov.uk](http://legislation.gov.uk) to view the full text of the legislation.
- c. This prohibition extends to all species listed in Annex IV and not just those found in the UK. A full list of Annex IV species is available from the [European Commission website](http://ec.europa.eu/environment/nature/annex4/).
- d. There are certain exceptions to the prohibitions in regulations 43(3):
 - i. where the specimen was taken from the wild outside the EC or was captive bred;
 - ii. where the specimen was taken from the wild before the 'relevant date' in the member State in question without contravention of the law of that member State. In the UK the relevant date is 10 June 1994. In other member States the relevant date is 10 June 1994 or, where the State joined the EC after that date, the date it joined the EC;
 - iii. where the specimen is of an exempted species, namely those listed in Schedule 3 to the amended Habitats Regulations and certain populations of the Wild Goat, the European Mouflon and the Houting.
- e. This licence covers possession of specimens that were taken from the wild after the 'relevant date' without contravention of any applicable law of the Member State in which it was taken. In the UK for example, this would mean without contravention of relevant wildlife legislation such as the Habitats Regulations 1994, the Conservation of Habitats and Species Regulations 2017, the Wildlife and Countryside Act 1981, the Pests Act 1954 and the Animal Welfare Act 2006.

The Guild of Taxidermists

- f. To be eligible to possess and transport dead specimens under this licence you must be a full member of the Guild of Taxidermists and you must be doing so for scientific or educational purposes only. Possession and transport for other purposes or by persons who are not full members of the Guild is not covered by this general licence and requires a separate licence. Application forms are available from Natural England at the address above or online at: <https://www.gov.uk/wildlife-licences>.
- g. Information about the Guild of Taxidermists is available online at www.taxidermy.org.uk.
- h. A licence in similar terms has been issued in Wales by Natural Resources Wales.

INFORMATION AND ADVICE for all Class and General Licences

General Information

- i. Ordinarily, licences will be reissued on 1 January each year (*NB you do not need to re-register for those with registration requirements*). Please note, however, that they can be modified or revoked at any time by Natural England or the Secretary of State, but this will not be done unless there are good reasons for doing so. You are advised to check the terms and conditions of a licence prior to your first use of it each year in case of amendments.
- j. The common name of the species given in a licence is included by way of guidance only; in the event of any dispute or proceedings, it is the scientific name of a species only that will be taken into account.
- k. No person convicted on or after 1 January 2010 of an offence under the Conservation of Habitats and Species Regulations 2017, the Wildlife and Countryside Act 1981, the Protection of Badgers Act 1992, the Deer Act 1991, the Hunting Act 2004, the Wild Mammals (Protection) Act 1996, the Animal Welfare Act 2006 or the Protection of Animals Act 1911 (all as amended) may use this licence without the permission of Natural England unless, in respect of that offence, either:
 - i. they are a rehabilitated person for the purposes of the Rehabilitation of Offenders Act 1974 and their conviction is treated as spent; or
 - ii. a court has made an order discharging them absolutely.Any request to use the licence by a person to whom this note applies will be considered on its merits.

The limits of licences

- l. Licences permit action only for the purposes specified on that licence.
- m. Licences do not permit actions prohibited under any other legislation, nor do they confer any right of entry upon land.
- n. Unless otherwise stated the provisions of Natural England licences only apply landward of the mean low water mark in England. The Marine Management Organisation is responsible for all licensing seaward of the mean low water mark.

Contact details for Natural England

For licensing enquiries:

Telephone 020 802 61089

Email wildlife.scicons@naturalengland.org.uk

Postal address Wildlife Licensing, Operations Delivery,
Natural England, Horizon House, Deanery Road, Bristol, BS1
5AH

For other enquiries use the Enquiry Service:

Telephone 0300 060 3900

Email enquiries@naturalengland.org.uk

Web <https://www.gov.uk/government/organisations/natural-england>

ANNEX A

Register of specimens

The register of Annex IV specimens must include the information stipulated in the table below and be presented in the format shown. A copy of the register is to be kept electronically in a format that is compatible with Microsoft EXCEL.

Scientific name	Common name	Whole specimen (Yes/No)	If No, specify the part or derivative	Number	Date came into your possession
<i>Example:</i>					
Nyctalus noctula	Noctule bat	Yes		1	01/05/2009