

GENERAL LICENCE

To permit laboratories and scientific institutions to possess biological samples taken during the investigation of offences



OVERVIEW

This licence permits laboratories and scientific institutions to possess, during the investigation of offences, biological samples (including blood, DNA and other tissue samples) taken from wild birds and wild animals (including badgers) that are suspected of being taken unlawfully from the wild. Licence users must comply with licence terms and conditions.

Registration	Registration is not required to use this licence
Recording & reporting	None
Reference	WML – GL10

LICENCE TERMS and CONDITIONS

Legislation	Wildlife and Countryside Act 1981 (as amended) ('the 1981 Act'), Protection of Badgers Act 1992 ('the 1992 Act'), and Conservation of Habitats and Species Regulations 2017 ('the 2017 Regulations').
Relevant section(s)	Sections 16(1) (a) and (c), 16(3) (a) and (c) and 16(5) of the 1981 Act Section 10(1) (a) and (f) of the 1992 Act Regulation 55(2) (a) and (c) of the 2017 Regulations
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	<ul style="list-style-type: none">• Scientific, research• Conservation purposes in relation to the investigation of offences.
What this licence permits	Subject to all the terms and conditions of this licence and solely for the purpose stated above, this licence permits: <ul style="list-style-type: none">• possession, for an indefinite period, of blood and other tissue samples taken from wild birds and wild animals (including badgers) for forensic investigation in relation to offences or suspected offences under the 1981 Act, the 1992 Act, and/or the 2017 Regulations.
Who can use this licence	Persons employed or contracted to work on behalf of laboratories and scientific institutions except those with a recent conviction (see Information and Advice note d).
Definitions used in this licence	" <i>Wild bird</i> " and " <i>wild animal</i> " have the same meaning as in Section 27 of the 1981 Act and "wild animal" as in Regulation 43 (4) (a & b) of the 2017 Regulations. " <i>Badger</i> " has the same meaning as in Section 14 of the 1992 Act.

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 1981 Act, the 1992 Act or the 2017 Regulations or mean that the licence cannot be relied upon. The maximum penalty available for failing to comply with a condition of a licence under the 1981 Act, 1992 Act or the 2017 Regulations 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 by the 1981 Act, the 1992 Act and the 2017 Regulations. Visit Legislation.gov.uk to view the full text of this legislation.
- b. Section 16 of the 1981 Act, Section 10 of the 1992 Act and Regulation 55 of the 2017 Regulations provide that offences in Part 1 of the 1981 Act, Sections 1, 3, 4 and 5 of the 1992 Act and Regulations 43, 45 or 47 of the 2017 Regulations shall not apply to anything done under and in accordance with the terms of a licence granted by the appropriate authority, which is, in England, Natural England.

INFORMATION AND ADVICE for all Class and General Licences

General Information

- c. 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.
- d. 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

- e. Licences permit action only for the purposes specified on that licence.
- f. Licences do not permit actions prohibited under any other legislation, nor do they confer any right of entry upon land.
- g. 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@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>