

# GENERAL LICENCE

To permit the sale and exhibition of Mealy Redpoll (*Carduelis flammea flammea*)



## OVERVIEW

This licence permits the sale and competitive showing of certain wild Mealy Redpoll, the legs of which do not take standard rings. Users must comply with licence terms and conditions.

Registration	Users do not need to register to use this licence
Recording & reporting	None required
Reference	WML – GL15

## LICENCE TERMS and CONDITIONS

Legislation	Wildlife and Countryside Act 1981 (as amended) ('the 1981 Act')
Relevant section(s)	Sections 16(1)(f), 16(4)(a) and 16(5)
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"><li>• Sale, and public exhibition and competitively showing.</li></ul>
What this licence permits	Subject to all the terms and conditions of this licence and solely for the purposes stated above, this licence permits: <ul style="list-style-type: none"><li>i. the sale (which in this licence includes hire, barter or exchange), offer or exposure for sale, possession or transport for the purpose of sale;</li><li>ii. the publication or the causing to be published of any advertisement likely to be understood as conveying the buying or selling, or the intention of buying or selling, and</li><li>iii. exhibition or showing for competitive purposes of captive-bred (as defined in Condition 3 below) <b>Mealy Redpoll (<i>Carduelis flammea flammea</i>)</b>.</li></ul>
Who can use this licence	This licence can be used by Anyone, except those with a recent conviction (see Information and Advice note f).
Definitions used in this licence	"Wild bird" has the same meaning as in <a href="#">section 27 of the 1981 Act</a>

## LICENCE CONDITIONS

1. Any bird exhibited or sold under this licence must have been bred in captivity. A bird shall not be treated as bred in captivity unless its parents were lawfully in captivity when the egg from which it hatched was laid.
2. Any birds shown or sold under the terms of this licence must be ringed with a legible individually numbered metal close ring, in a like manner to that prescribed in the Wildlife and Countryside (Ringling of Certain Birds) Regulations 1982 (SI 1982/1220), which is a ring or a band in a continuous circle (without any break, join, or any sign of tampering since it was manufactured) and which cannot be removed from the bird when its leg is fully grown. **The ring must be a ring of size C**, which has been issued by one of the Department for Environment, Food and Rural Affairs

Approved Suppliers ie the British Bird Council or the International Ornithological Association.

3. The owner or keeper of any bird exhibited or to be sold under this licence will, if requested by an Official of the Department for Environment, Food and Rural Affairs or Natural England, or a Police Officer, make the bird available for a sample of blood, tissue or feather to be taken. Blood samples will be taken by a qualified veterinary surgeon. Such a sample may be used to establish the ancestry of the bird.
4. All relevant animal welfare legislation must be complied with at all times, including the Animal Welfare Act 2006 (see Information and Advice note g).

#### 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 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. Birds listed on Schedule 3 Part 1 of the 1981 Act are permitted to be sold under the 1981 Act, provided they are bred in captivity and are ringed in accordance with the requirements set out in Section 6(5) of the 1981 Act and SI 1982/1220. Changes in the taxonomic status of **Mealy Redpoll** mean that it is now listed under **Common Redpoll (*Carduelis flammea*)** and, as such, is listed on Schedule 3 Part I. However, the Mealy Redpoll has thick legs and it cannot wear the ring size specified in the regulations. This licence permits use of a suitable ring (size C).
- b. Natural England has issued this licence in exercise of the powers conferred by the 1981 Act. Visit [Legislation.gov.uk](http://legislation.gov.uk) to view the full text of this legislation.
- c. Section 16 of the 1981 Act provides that the offences in Part 1 of the 1981 Act 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

- d. 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.
- e. 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.
- f. 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.

- g. Persons acting under a licence should have regard to legislation and good practice relevant to the action(s) undertaken, including animal welfare and the Animal Welfare Act 2006. It is an offence to cause any unnecessary suffering to an animal (including birds) under the control of man (section 4 of the 2006 Act). This applies to the humane despatch of captured animals and the treatment of animals held in traps or nets, including decoy birds and non-target animals. For advice on the relevance of the 2006 Act to wildlife management please refer to the Natural England leaflet '[The Animal Welfare Act 2006: what it means for wildlife](#)' (TIN072).

#### **The limits of licences**

- h. Licences permit action only for the purposes specified on that licence.
- i. Licences do not permit actions prohibited under any other legislation, nor do they confer any right of entry upon land.
- j. 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](mailto: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](mailto:enquiries@naturalengland.org.uk)

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