

GENERAL LICENCE

To permit the sale of dead wild animals



OVERVIEW

This licence permits the sale of dead wild animals (or parts or derivatives of such animals) of certain protected species listed on Schedule 5 of the Wildlife and Countryside Act 1981 (as amended). Users must comply with the terms and conditions.

Registration	Users do not need to register to use this licence
Recording & reporting	There are data recording and reporting requirements (see Conditions 3 and 4)
Reference	WML – GL20

LICENCE TERMS and CONDITIONS

Legislation	Wildlife and Countryside Act 1981 (as amended) ('the 1981 Act')
Relevant section(s)	Section 16(4)(b) and section 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	To permit the sale of dead wild animals, or derivatives or parts of any such animals.
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">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; orii. publicise 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 of dead wild animals of the following species: Pine marten <i>Martes martes</i> Red Squirrel <i>Sciurus vulgaris</i>
Who can use this licence	This licence can be used by Anyone, except those with a recent conviction (see Information and Advice note i).

LICENCE CONDITIONS

1. This licence only applies to the sale of dead wild animals of the species listed under paragraph ii above, that were removed from the natural state within the United Kingdom under legal provisions in force in the United Kingdom.
2. Documentary evidence that the animal was legally removed from the natural state must accompany any sale (see Information and Advice note g).

Record and reporting requirements

3. Any person who sells a dead wild animal, or part or product of such a dead wild animal, under this licence ("the seller") must keep a record ("the record"), for a minimum of two years from such sale.
 - a) This record shall contain details of:
 - i. the person from whom the seller acquired the animal (or part or derivative);

- ii. the person to whom the animal (or part or derivative) was sold; and
 - iii. the species, age and cause of death (if known) of the animal.
- 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.
4. The seller must submit to Natural England (wildlife@naturalengland.org.uk), by **31 December** of each year a report giving details of any sale by him/her in that year of any dead wild animal (or part or derivative) of the species listed under paragraph ii, which has not previously been sold. The report shall also:
- a) state how the seller acquired each animal (or part or derivative), and
 - b) list the type and number of each species sold.

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. Natural England has issued this licence in exercise of the powers conferred by the 1981 Act. Visit legislation.gov.uk to view the full text of this legislation.
- b. 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.
- c. Section 9 (5) of the 1981 Act prohibits the sale of certain animals listed on Schedule 5 of the 1981 Act (this includes the Pine Marten and Red Squirrel). The term "sale" is taken to include all those activities listed under 'What this licence permits' above.
- d. This licence complies with Article 7 of the Bern Convention (www.coe.int/t/dg4/cultureheritage/nature/bern/default_en.asp).
- e. 'Documentary evidence' is not defined in relation to this licence. The onus is on the user of this licence to satisfy this requirement by retaining and providing satisfactory evidence that the specimen was legally removed from the natural state.

INFORMATION AND ADVICE for all Class and General Licences

General Information

- f. 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.
- g. 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.

- h. The sale of Schedule 5 animals, other than those listed in paragraph 2, is not permitted by this licence. To sell animals of any other species you must obtain a licence from Natural England.
- i. 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

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