
STATUTORY RULES OF NORTHERN IRELAND

1995 No. 380

**The Conservation (Natural Habitats, etc.)
Regulations (Northern Ireland) 1995**

PART III

PROTECTION OF SPECIES

Power to grant licences

Grant of licences for certain purposes

39.—(1) Regulations 34, 36 and 38 do not apply to anything done for any of the following purposes under and in accordance with the terms of a licence granted by the Department.

(2) The purposes referred to in paragraph (1) are—

- (a) scientific or educational purposes;
- (b) ringing or marking, or examining any ring or mark on, wild animals;
- (c) conserving wild animals or wild plants or introducing them to particular areas;
- (d) protecting any zoological or botanical collection;
- (e) preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment;
- (f) preventing the spread of disease; or
- (g) preventing serious damage to livestock, foodstuffs for livestock, crops, vegetables, fruit, growing timber, pasture or any other form of property or to fisheries.

(3) The Department shall not grant a licence under this regulation unless it is satisfied—

- (a) that there is no satisfactory alternative, and
- (b) that the action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range.

Licences: supplementary provisions

40.—(1) A licence under regulation 39—

- (a) may be, to any degree, general or specific;
- (b) may be granted either to persons of a class or to a particular person; and
- (c) may be subject to compliance with any specified conditions.

(2) For the purposes of a licence under regulation 39 the definition of a class of persons may be framed by reference to any circumstances whatever including, in particular, their being authorised by any other person.

(3) A licence under regulation 39 may be modified or revoked at any time by the Department; but otherwise shall be valid for the period stated in the licence.

(4) A licence under regulation 39 which authorises any person to kill wild animals—

(a) shall specify—

(i) the species of wild animals which may be killed and the person authorised to kill them; and

(ii) the area within which and the methods by which the wild animals may be killed; and

(b) shall not be granted for a period of more than two years.

False statements made for obtaining licence

41.—(1) A person who, for the purpose of obtaining, whether for himself or another, the grant of licence under regulation 39—

(a) makes a statement or representation, or furnishes a document or information, which he knows to be false in a material particular; or

(b) recklessly makes a statement or representation, or furnishes a document or information, which is false in a material particular, shall be guilty of an offence.

(2) A person guilty of an offence under this regulation is liable on summary conviction to a fine not exceeding level 4 on the standard scale.