

**Changes to legislation:** Wildlife and Countryside Act 1981 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

## SCHEDULES

### [<sup>F1</sup>SCHEDULE ZA1

#### BIRDS WHICH RE-USE THEIR NESTS

##### Textual Amendments

- F1** Sch. ZA1 inserted (31.5.2006) by [Natural Environment and Rural Communities Act 2006 \(c. 16\)](#) , **ss. 47 , 107 ; S.I. 2006/1382 , art. 2**

<i>Common name</i>	<i>Scientific name</i>
Eagle, Golden	<i>Aquila chrysaetos</i>
Eagle, White-tailed	<i>Haliaeetus albicilla</i>
Osprey	<i>Pandion haliaetus</i>

NOTE: The common name or names given in the first column of this Schedule are included by way of guidance only; in the event of any dispute or proceedings, the common name or names shall not be taken into account.]

### [<sup>F2</sup>SCHEDULE A1

#### PROTECTED NESTS AND NEST SITES: BIRDS

##### Textual Amendments

- F2** Sch. A1 inserted (S.) (29.11.2004) by [Nature Conservation \(Scotland\) Act 2004 \(asp 6\)](#) , **ss. 50, 59, Sch. 6 para. 24; S.S.I. 2004/495, art. 2**

<i>Common name</i>	<i>Scientific name</i>
[ <sup>F3</sup> Eagle, Golden	<i>Aquila chrysaetos</i> ]
Eagle, White-tailed	<i>Haliaeetus albicilla</i> ]

##### Textual Amendments

- F3** Entry in Sch. A1 inserted (16.3.2013) by [The Wildlife and Countryside Act 1981 \(Variation of Schedules A1 and 1A\) \(Scotland\) Order 2013 \(S.S.I. 2013/31\)](#) , **arts. 1(1), 2**

---

*Changes to legislation: Wildlife and Countryside Act 1981 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

---

SCHEDULE 1

Sections 1, 2, 4, 6, 19 and 22.

BIRDS WHICH ARE PROTECTED BY SPECIAL PENALTIES

**PART I**

AT ALL TIMES

<i>Common name</i>	<i>Scientific name</i>
Avocet	<i>Recurvirostra avosetta</i>
Bee-eater	<i>Merops apiaster</i>
Bittern	<i>Botaurus stellaris</i>
Bittern, Little	<i>Ixobrychus minutus</i>
Bluethroat	<i>Luscinia svecica</i>
Brambling	<i>Fringilla montifringilla</i>
Bunting, Cirl	<i>Emberiza cirlus</i>
Bunting, Lapland	<i>Calcarius lapponicus</i>
Bunting, Snow	<i>Plectrophenax nivalis</i>
Buzzard, Honey	<i>Pernis apivorus</i>
[ <sup>F4</sup> Capercaillie]	[ <sup>F4</sup> <i>Tetracurogallus</i> ]
Chough	<i>Pyrrhocorax pyrrhocorax</i>
Corncrake	<i>Crex crex</i>
Crake, Spotted	<i>Porzana porzana</i>
Crossbills (all species)	<i>Loxia</i>
Curlew, Stone	<i>Burhinus oediconemus</i>
Divers (all species)	<i>Gavia</i>
Dotterel	<i>Charadrius morinellus</i>
Duck, Long-tailed	<i>Clangula hyemalis</i>
Eagle, Golden	<i>Aquila chrysaetos</i>
Eagle, White-tailed	<i>Haliaeetus albicilla</i>
Falcon, Gyr	<i>Falco rusticolus</i>
Fieldfare	<i>Turdus pilaris</i>
Firecrest	<i>Regulus ignicapillus</i>
Garganey	<i>Anas querquedula</i>
Godwit, Black-tailed	<i>Limosa limosa</i>
Goshawk	<i>Accipiter gentilis</i>
Grebe, Black-necked	<i>Podiceps nigricollis</i>

---

**Changes to legislation:** *Wildlife and Countryside Act 1981 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

---

Grebe, Slavonian	Podiceps auritus
Greenshank	Tringa nebularia
Gull, Little	Larus minutus
Gull, Mediterranean	Larus melanocephalus
Harriers (all species)	Circus
Heron, Purple	Ardea purpurea
Hobby	Falco subbuteo
Hoopoe	Upupa epops
Kingfisher	Alcedo atthis
Kite, Red	Milvus milvus
Merlin	Falco columbarius
Oriole, Golden	Oriolus oriolus
Osprey	Pandion haliaetus
Owl, Barn	Tyto alba
Owl, Snowy	Nyctea scandiaca
Peregrine	Falco peregrinus
Petrel, Leach's	Oceanodroma leucorhoa
Phalarope, Red-necked	Phalaropus lobatus
Plover, Kentish	Charadrius alexandrinus
Plover, Little Ringed	Charadrius dubius
Quail, Common	Coturnix coturnix
Redstart, Black	Phoenicurus ochruros
Redwing	Turdus iliacus
Rosefinch, Scarlet	Carpodacus erythrinus
Ruff	Philomachus pugnax
Sandpiper, Green	Tringa ochropus
Sandpiper, Purple	Calidris maritima
Sandpiper, Wood	Tringa glareola
Scaup	Aythya marila
Scoter, Common	Melanitta nigra
Scoter, Velvet	Melanitta fusca
Serin	Serinus serinus
Shorelark	Eremophila alpestris
Shrike, Red-backed	Lanius collurio
Spoonbill	Platalea leucorodia

*Changes to legislation: Wildlife and Countryside Act 1981 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

Stilt, Black-winged	Himantopus himantopus
Stint, Temminck's	Calidris temminckii
Swan, Bewick's	Cygnus bewickii
Swan, Whooper	Cygnus cygnus
Tern, Black	Chlidonias niger
Tern, Little	Sterna albifrons
Tern, Roseate	Sterna dougallii
Tit, Bearded	Panurus biarmicus
Tit, Crested	Parus cristatus
Treecreeper, Short-toed	Certhia brachydactyla
Warbler, Cetti's	Cettia cetti
Warbler, Dartford	Sylvia undata
Warbler, Marsh	Acrocephalus palustris
Warbler, Savi's	Locustella luscinioides
Whimbrel	Numenius phaeopus
Woodlark	Lullula arborea
Wryneck	Jynx torquilla

**Textual Amendments**

**F4** Sch. 1 Pt. I : Words inserted (S.) (4.11.2001) by [S.S.I. 2001/337](#) , **reg. 2(3)**

**PART II**

DURING THE CLOSE SEASON

<i>Common name</i>	<i>Scientific name</i>
Goldeneye	Bucephala clangula
Goose, Greylag (in Outer Hebrides, Caithness, Sutherland and Wester Ross only)	Anser anser
Pintail	Anas acuta

Note. The common name or names given in the first column of this Schedule are included by way of guidance only; in the event of any dispute or proceedings, the common name or names shall not be taken into account.

**Changes to legislation:** Wildlife and Countryside Act 1981 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

## [<sup>F5</sup>SCHEDULE 1A

### BIRDS WHICH ARE PROTECTED FROM HARASSMENT

#### Textual Amendments

**F5** Sch. 1A inserted (S.) (29.11.2004) by [Nature Conservation \(Scotland\) Act 2004 \(asp 6\)](#), ss. 50, 59, [Sch. 6 para. 25](#); S.S.I. 2004/495, [art. 2](#)

Common name	Scientific name
[ <sup>F6</sup> Eagle, Golden	Aquila chrysaetos]
Eagle, White-tailed	Haliaeetus albicilla
[ <sup>F6</sup> Harrier, Hen	Circus cyaneus]
[ <sup>F6</sup> Kite, Red	Milvus milvus]]

#### Textual Amendments

**F6** Entries in Sch. 1A inserted (16.3.2013) by [The Wildlife and Countryside Act 1981 \(Variation of Schedules A1 and 1A\) \(Scotland\) Order 2013 \(S.S.I. 2013/31\)](#), arts. 1(1), [3](#)

## SCHEDULE 2

Sections 2, 3, and 22.

### BIRDS WHICH MAY BE KILLED OR TAKEN

#### PART I

##### OUTSIDE THE CLOSE SEASON

<i>Common name</i>	<i>Scientific name</i>
[ <sup>F7</sup> Capercaillie]	[ <sup>F7</sup> Tetrao urogallus]
Coot	Fulica atra
Duck, Tufted	Aythya fuligula
Gadwall	Anas strepera
Goldeneye	Bucephala clangula
Goose, Canada	Branta canadensis
Goose, Greylag	Anser anser
Goose, Pink-footed	Anser brachyrhynchus
Goose, White-fronted (in England and Wales only) [ <sup>F8</sup> , except	Anser albifrons [ <sup>F10</sup> except F11

**Changes to legislation:** *Wildlife and Countryside Act 1981 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

F9	... Greenland White-fronted Goose]	... <i>Anser albifrons flavirostris</i> ]
[ <sup>F12</sup>	Grouse, Black	Tetrao tetrix]
[ <sup>F12</sup>	Grouse, Red	Lagopus lagopus scoticus]
	Mallard	Anas platyrhynchos
	Moorhen	Gallinula chloropus
[ <sup>F13</sup>	Partridge, Grey	Perdix perdix]
[ <sup>F13</sup>	Partridge, Red-legged	Alectoris rufa]
[ <sup>F14</sup>	Pheasant, Common	Phasianus colchicus]
	Pintail	Anas acuta
	Plover, Golden	Pluvialis apricaria
	Pochard	Aythya ferina
[ <sup>F14</sup>	Ptarmigan	Lagopus mutus]
	Shoveler	Anas clypeata
	Snipe, Common	Gallinago gallinago
	Teal	Anas crecca
	Wigeon	Anas penelope
	Woodcock	Scolopax rusticola

#### Textual Amendments

- F7** Sch. 2 Pt. 1 words omitted (S.) (4.11.2001) by S.S.I. 2001/337 , reg. 2(4)
- F8** Words in Sch. 2 Pt. 1 inserted (E.W.) (31.3.2020) by The Wildlife and Countryside Act 1981 (Variation of Schedule 2) (England) Order 2020 (S.I. 2020/245), arts. 1(1), 2(a)
- F9** Words in Sch. 2 Pt. 1 omitted (E.W.) (1.4.2020) by virtue of The Wildlife and Countryside Act 1981 (Variation of Schedule 2) (Wales) Order 2020 (S.I. 2020/272), arts. 1, 2(a)
- F10** Words in Sch. 2 Pt. 1 inserted (E.W.) (31.3.2020) by The Wildlife and Countryside Act 1981 (Variation of Schedule 2) (England) Order 2020 (S.I. 2020/245), arts. 1(1), 2(b)
- F11** Words in Sch. 2 Pt. 1 omitted (E.W.) (1.4.2020) by virtue of The Wildlife and Countryside Act 1981 (Variation of Schedule 2) (Wales) Order 2020 (S.I. 2020/272), arts. 1, 2(b)
- F12** Sch. 2 Pt. 1 entries inserted (S.) (29.6.2011) by Wildlife and Natural Environment (Scotland) Act 2011 (asp 6) , ss. 3(7)(a) , 43(1) (with s. 41(1)); S.S.I. 2011/279 , art. 2(1)(b)
- F13** Sch. 2 Pt. 1 entries inserted (S.) (29.6.2011) by Wildlife and Natural Environment (Scotland) Act 2011 (asp 6) , ss. 3(7)(b) , 43(1) (with s. 41(1)); S.S.I. 2011/279 , art. 2(1)(b)
- F14** Sch. 2 Pt. 1 entries inserted (S.) (29.6.2011) by Wildlife and Natural Environment (Scotland) Act 2011 (asp 6) , ss. 3(7)(c) , 43(1) (with s. 41(1)); S.S.I. 2011/279 , art. 2(1)(b)

**Changes to legislation:** *Wildlife and Countryside Act 1981 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

## [<sup>F15</sup>PART IA

EXCEPTION: BIRDS INCLUDED IN PART I WHICH MAY NOT  
BE KILLED OR TAKEN ON SUNDAYS OR CHRISTMAS DAY

### Textual Amendments

**F15** Sch. 2 Pt. IA inserted (S.) (29.6.2011) by [Wildlife and Natural Environment \(Scotland\) Act 2011 \(asp 6\)](#), [ss. 3\(8\)](#), [43\(1\)](#) (with [s. 41\(1\)](#)); [S.S.I. 2011/279](#), [art. 2\(1\)\(b\)](#)

<i>Common name</i>	<i>Scientific name</i>
Coot	<i>Fulica atra</i>
Duck, Tufted	<i>Aythya fuligula</i>
Gadwall	<i>Anas strepera</i>
Goldeneye	<i>Bucephala clangula</i>
Goose, Canada	<i>Branta canadensis</i>
Goose, Greylag	<i>Anser anser</i>
Goose, Pink-footed	<i>Anser brachyrhynchus</i>
Mallard	<i>Anas platyrhynchos</i>
Moorhen	<i>Gallinula chloropus</i>
Pintail	<i>Anas acuta</i>
Plover, Golden	<i>Pluvialis apricaria</i>
Pochard	<i>Aythya ferina</i>
Shoveler	<i>Anas clypeata</i>
Snipe, Common	<i>Gallinago gallinago</i>
Teal	<i>Anas crecca</i>
Wigeon	<i>Anas penelope</i>
Woodcock	<i>Scolopax rusticola</i> ]

## PART II

BY AUTHORISED PERSONS AT ALL TIMES

<i>Common name</i>	<i>Scientific name</i>
F16	F16
...	...
F16	F16
...	...
F16	F16





**Changes to legislation:** Wildlife and Countryside Act 1981 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Bullfinch	Pyrrhula pyrrhula
Bunting, Reed	Emberiza schoeniclus
Chaffinch	Fringilla coelebs
Dunnock	Prunella modularis
Goldfinch	Carduelis carduelis
Greenfinch	Carduelis chloris
Jackdaw	Corvus monedula
Jay	Garrulus glandarius
Linnet	Carduelis cannabina
Magpie	Pica pica
Owl, Barn	Tyto alba
Redpoll	Carduelis flammea
Siskin	Carduelis spinus
Starling	Sturnus vulgaris
Thrush, Song	Turdus philomelos
Twite	Carduelis flavirostris
Yellowhammer	Emberiza citrinella

## [<sup>F17</sup>PART IA

ALIVE IF TAKEN IN CAPTIVITY OR BY CERTAIN PERSONS OUTSIDE  
CLOSE SEASON OR DURING FIRST 28 DAYS OF CLOSE SEASON

### Textual Amendments

**F17** Sch. 3 Pt. IA inserted (S.) (29.6.2011) by [Wildlife and Natural Environment \(Scotland\) Act 2011 \(asp 6\)](#), ss. **5(4)(a)**, 43(1) (with s. 41(1)); S.S.I. 2011/279, art. 2(1)(c)

<i>Common name</i>	<i>Scientific name</i>
Grouse, Red	Lagopus lagopus scoticus
Mallard	Anas platyrhynchos
Partridge, Grey	Perdix perdix
Partridge, Red-legged	Alectoris rufa
Pheasant, Common	Phasianus colchicus]

**Changes to legislation:** Wildlife and Countryside Act 1981 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

## PART II

### DEAD AT ALL TIMES

<i>Common name</i>	<i>Scientific name</i>
F18	F18
...	...
Woodpigeon	Columba palumbus

#### Textual Amendments

**F18** Words in Sch. 3 Pt. II removed (01.01.1993) by [S.I. 1992/3010](#) , [art.3](#) .

## [<sup>F19</sup>PART IIA

### DEAD IF KILLED OUTSIDE CLOSE SEASON BY CERTAIN PERSONS

#### Textual Amendments

**F19** Sch. 3 Pt. IIA inserted (S.) (29.6.2011) by [Wildlife and Natural Environment \(Scotland\) Act 2011 \(asp 6\)](#) , [ss. 5\(4\)\(b\)](#) , [43\(1\)](#) (with [s. 41\(1\)](#)); [S.S.I. 2011/279](#) , [art. 2\(1\)\(c\)](#)

<i>Common name</i>	<i>Scientific name</i>
Coot	Fulica atra
Duck, Tufted	Aythya fuligula
Grouse, Black	Tetrao tetrix
Grouse, Red	Lagopus lagopus scoticus
Mallard	Anas platyrhynchos
Partridge, Grey	Perdix perdix
Partridge, Red-legged	Alectoris rufa
Pheasant, Common	Phasianus colchicus
Pintail	Anas acuta
Plover, Golden	Pluvialis apricaria
Pochard	Aythya ferina
Ptarmigan	Lagopus mutus
Shoveler	Anas clypeata
Snipe, Common	Gallinago gallinago
Teal	Anas crecca
Wigeon	Anas penelope

**Changes to legislation:** *Wildlife and Countryside Act 1981 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

Woodcock Scolopax rusticola]

**PART III**

DEAD FROM 1ST SEPTEMBER TO 28TH FEBRUARY

<i>Common name</i>	<i>Scientific name</i>
[ <sup>F20</sup> Capercaillie]	[ <sup>F20</sup> Tetrao urogallus]
[ <sup>F21</sup> Coot]	[ <sup>F21</sup> Fulica atra]
[ <sup>F21</sup> Duck, Tufted]	[ <sup>F21</sup> Aythya fuligula]
[ <sup>F21</sup> Mallard]	[ <sup>F21</sup> Anas platyrhynchos]
[ <sup>F21</sup> Pintail]	[ <sup>F21</sup> Anas acuta]
[ <sup>F21</sup> Plover, Golden]	[ <sup>F21</sup> Pluvialis apricaria]
[ <sup>F21</sup> Pochard]	[ <sup>F21</sup> Aythya ferina]
[ <sup>F21</sup> Shoveler]	[ <sup>F21</sup> Anas clypeata]
[ <sup>F21</sup> Snipe, Common]	[ <sup>F21</sup> Gallinago gallinago]
[ <sup>F21</sup> Teal]	[ <sup>F21</sup> Anas crecca]
[ <sup>F21</sup> Wigeon]	[ <sup>F21</sup> Anas penelope]
[ <sup>F21</sup> Woodcock]	[ <sup>F21</sup> Scolopax rusticola]

**Textual Amendments**

**F20** Sch. 3 Pt. III : Words omitted (S.) (4.11.2001) by [S.S.I. 2001/337](#) , **reg. 2(5)**

**F21** Entries in Sch. 3 Pt. III repealed (S.) (29.6.2011) by [Wildlife and Natural Environment \(Scotland\) Act 2011](#) (asp 6) , **ss. 5(4)(c)** , **43(1)** (with s. 41(1)); [S.S.I. 2011/279](#) , **art. 2(1)(c)**

Note. The common name or names given in the first column of this Schedule are included by way of guidance only; in the event of any dispute or proceedings, the common name or names shall not be taken into account.

SCHEDULE 4

Sections 7 and 22.

BIRDS WHICH MUST BE REGISTERED AND RINGED IF KEPT IN CAPTIVITY

<i>Common name</i>	<i>Scientific name</i>
F22	F22
. . .	. . .
F22	F22

**Changes to legislation:** Wildlife and Countryside Act 1981 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

...	...
F22	F22
...	...
F22	F22
...	...
F22	F22
...	...
F23	F23
...	...
F23	F23
...	...
F23	F23
...	...
F23	F23
...	...
F22	F22
...	...
F22	F22
...	...
F23	F23
...	...
F22	F22
...	...
F22	F22
...	...
F22	F22
...	...
F22	F22
...	...
[ <sup>F24</sup> Falcons (all species)]	[ <sup>F24</sup> Falconidae]
F23	F23
...	...
F23	F23
...	...
F22	F22
...	...
F22	F22
...	...
F22	F22
...	...



---

**Changes to legislation:** Wildlife and Countryside Act 1981 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

---

F23	F23
...	...
F23	F23
...	...
F23	F23
...	...
F22	F22
...	...
F22	F22
...	...
F22	F22
...	...
F22	F22
...	...
F22	F22
...	...
F22	F22
...	...
F23	F23
...	...
F23	F23
...	...
F22	F22
...	...
F23	F23
...	...
F23	F23
...	...
F23	F23
...	...
F22	F22
...	...
F23	F23
...	...
F23	F23
...	...
F23	F23
...	...
F25	
...	

---

**Changes to legislation:** *Wildlife and Countryside Act 1981 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

### Textual Amendments

- F22** Entries in Sch. 4 removed (24.5.1994) by [S.I. 1994/1151](#) , [art. 2](#)
- F23** Sch. 4 : entries omitted (E.) (1.10.2008) by virtue of [The Wildlife and Countryside Act 1981 \(Variation of Schedule 4\) \(England\) Order 2008 \(S.I. 2008/2356\)](#) , [arts. 2](#) , [3\(1\)\(2\)](#) ; and those same entries omitted (W.) (23.4.2009) by virtue of [The Wildlife and Countryside Act 1981 \(Variation of Schedule 4\) \(Wales\) Order 2009 \(S.I. 2009/780\)](#) , [art. 2\(2\)](#) ; and those same entries removed (S.) (21.12.2009) by virtue of [The Wildlife and Countryside Act 1981 \(Variation of Schedule 4\) \(Scotland\) Order 2009 \(S.S.I. 2009/418\)](#) , [art. 2\(1\)](#)
- F24** Sch. 4 : entries removed (24.5.1994) subject to specified exceptions by [The Wildlife and Countryside Act 1981 \(Variation of Schedule 4\) Order 1994 \(S.I. 1994/1151\)](#) , [art. 2](#) ; and further specified entries (except the entries for Falcon, Peregrine (*Falco peregrinus*) and Merlin (*Falco columbarius*) under the heading "Falcons (all species)" and except the entries for Buzzard, Honey (*Pernis apivorus*), Eagle, Golden (*Aquila chrysaetos*), Eagle, White-tailed (*Haliaeetus albicilla*), Goshawk (*Accipiter gentilis*), Harrier, Marsh (*Circus aeruginosus*) and Harrier, Montagu's (*Circus pygargus*) under the heading "Hawks, True") omitted (E.) (1.10.2008) by virtue of [The Wildlife and Countryside Act 1981 \(Variation of Schedule 4\) \(England\) Order 2008 \(S.I. 2008/2356\)](#) , [arts. 2](#) , [3\(1\)\(2\)](#) ; and those same specified entries omitted (W.) (23.4.2009) by virtue of [The Wildlife and Countryside Act 1981 \(Variation of Schedule 4\) \(Wales\) Order 2009 \(S.I. 2009/780\)](#) , [art. 2\(2\)](#) ; and those same specified entries removed (S.) (21.12.2009) by virtue of [The Wildlife and Countryside Act 1981 \(Variation of Schedule 4\) \(Scotland\) Order 2009 \(S.S.I. 2009/418\)](#) , [art. 2\(1\)](#)
- F25** Sch. 4 : words omitted (E.) (1.10.2008) by virtue of [The Wildlife and Countryside Act 1981 \(Variation of Schedule 4\) \(England\) Order 2008 \(S.I. 2008/2356\)](#) , [arts. 2](#) , [3\(3\)](#) ; and those same words omitted (W.) (23.4.2009) by virtue of [The Wildlife and Countryside Act 1981 \(Variation of Schedule 4\) \(Wales\) Order 2009 \(S.I. 2009/780\)](#) , [art. 2\(3\)](#) ; and those same words removed (S.) (21.12.2009) by virtue of [The Wildlife and Countryside Act 1981 \(Variation of Schedule 4\) \(Scotland\) Order 2009 \(S.S.I. 2009/418\)](#) , [art. 2\(2\)](#)

Note. The common name or names given in the first column of this Schedule are included by way of guidance only; in the event of any dispute or proceedings, the common name or names shall not be taken into account.

## <sup>F26</sup>SCHEDULE 5 E+W

Sections 9, 10, 22 and 24.

### ANIMALS WHICH ARE PROTECTED

#### Extent Information

- E1** This version of this provision extends to England and Wales only; a separate version has been created for Scotland only

#### Textual Amendments

- F26** By [S.I. 1988/288](#) , [art. 2\(2\)](#) it is provided that all Dolphins (Cetacea) and all Porpoises (Cetacea) not already listed in Schedule 5 are added to that Schedule and by [S.I. 2007/1843](#) , [reg. 7\(7\)\(g\)](#) it is provided that said Dolphins (all species) and Porpoises (all species) are omitted (E.W.) (21.8.2007)

#### *Common name*

#### *Scientific name*

[<sup>F27</sup>Adder (in respect of section 9(5) only)]

[<sup>F27</sup>Vipera berus]

---

*Changes to legislation: Wildlife and Countryside Act 1981 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

---

[ <sup>F28</sup> Allis Shad (in respect of section 9(1) and (4)(a) only)]	[ <sup>F28</sup> Alosa alosa]
[ <sup>F29</sup> Anemone, Ivell's Sea]	[ <sup>F29</sup> Edwardsia ivelli]
[ <sup>F29</sup> Anemone, Startlet Sea]	[ <sup>F29</sup> Nematosella vectensis]
[ <sup>F29</sup> Apus]	[ <sup>F29</sup> Triops cancriformis]
Bats, Horseshoe (all species [ <sup>F30</sup> but in respect of section 9(4)(b) and (c) and (5) only])	Rhinolophidae
Bats, Typical (all species [ <sup>F31</sup> but in respect of section 9(4)(b) and (c) and (5) only])	Vespertilionidae
[ <sup>F32</sup> Beetle]	[ <sup>F32</sup> Graphoderus zonatus]
[ <sup>F32</sup> Beetle]	[ <sup>F32</sup> Hypebaeus flavipes]
[ <sup>F32</sup> Beetle]	[ <sup>F32</sup> Paracymus aeneus]
[ <sup>F32</sup> Beetle, Lesser Silver Water]	[ <sup>F32</sup> Hydrochara caraboides]
[ <sup>F32</sup> Beetle, Mire Pill (in respect of section 9(4)(a) only)]	[ <sup>F32</sup> Curimopsis nigrita]
Beetle, Rainbow Leaf	Chrysolina cerealis
[ <sup>F33</sup> Beetle, Stag (in respect of section 9(5) only)]	[ <sup>F33</sup> Lucanus cervus]
[ <sup>F29</sup> Beetle, Violet Click]	[ <sup>F29</sup> Limoniscus violaceus]
Burbot	Lota lota
...	...
<sup>F34</sup>	<sup>F34</sup>
[ <sup>F35</sup> Butterfly, Northern Brown Argus]	[ <sup>F35</sup> Aricia artaxerxes]
[ <sup>F35</sup> Butterfly, Adonis Blue]	[ <sup>F35</sup> Lysandra bellargus]
[ <sup>F35</sup> Butterfly, Chalkhill Blue]	[ <sup>F35</sup> Lysandra coridon]
[ <sup>F35</sup> Butterfly, Silver-studded Blue]	[ <sup>F35</sup> Plebejus argus]
[ <sup>F35</sup> Butterfly, Small Blue]	[ <sup>F35</sup> Cupido minimus]
[ <sup>F28</sup> Butterfly, Large Copper]	[ <sup>F28</sup> Lycaena dispar]
[ <sup>F35</sup> Butterfly, Purple Emperor]	[ <sup>F35</sup> Apatura iris]
[ <sup>F35</sup> Butterfly, Duke of Burgandy Fritillary]	[ <sup>F35</sup> Hamearis lucina]
[ <sup>F35</sup> Butterfly, Glanville Fritillary]	[ <sup>F35</sup> Melitaea cinxia]
Butterfly, Heath Fritillary	Mellicta athalia (otherwise known as Melitaea athalia)
[ <sup>F36</sup> Butterfly, High Brown Fritillary]	[ <sup>F36</sup> Argynnis adippe]
[ <sup>F28</sup> Butterfly, Marsh Fritillary]	[ <sup>F28</sup> Eurodryas aurinia]



---

**Changes to legislation:** *Wildlife and Countryside Act 1981 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

---

[ <sup>F35</sup> Butterfly, Pearl-bordered Fritillary]	[ <sup>F35</sup> Boloria euphrosyne]
[ <sup>F35</sup> Butterfly, Black Hairstreak]	[ <sup>F35</sup> Strymonidia pruni]
[ <sup>F35</sup> Butterfly, Brown Hairstreak]	[ <sup>F35</sup> Thecla betulae]
[ <sup>F35</sup> Butterfly, White Letter Hairstreak]	[ <sup>F35</sup> Stymonida w-album]
[ <sup>F35</sup> Butterfly, Large Heath]	[ <sup>F35</sup> Coenonympha tullia]
Butterfly, Large Blue[ <sup>F37</sup> (in respect of section 9(4)(b) and (c) and (5) only)]	Maculinea arion
[ <sup>F35</sup> Butterfly, Mountain Ringlet]	[ <sup>F35</sup> Erebia epiphron]
. . .	. . .
F34	F34
[ <sup>F35</sup> Butterfly, Chequered Skipper]	[ <sup>F35</sup> Carterocephalus palaemon]
[ <sup>F35</sup> Butterfly, Lulworth Skipper]	[ <sup>F35</sup> Thymelicus acteon]
[ <sup>F35</sup> Butterfly, Silver Spotted Skipper]	[ <sup>F35</sup> Hesperia comma]
Butterfly, Swallowtail	Papilio machaon
[ <sup>F35</sup> Butterfly, Large tortoiseshell]	[ <sup>F35</sup> Nymphalis polychloros]
[ <sup>F35</sup> Butterfly, Wood White]	[ <sup>F35</sup> Leptidea sinapis]
[ <sup>F29</sup> Cat, Wild][ <sup>F37</sup> (in respect of section 9(4) (b) and (c) and (5) only)]	[ <sup>F29</sup> Felis silverstris]
[ <sup>F29</sup> Cicada, New Forest]	[ <sup>F29</sup> Cicadetta montana]
[ <sup>F38</sup> Crayfish, Atlantic Stream]	[ <sup>F38</sup> Austropotamobius pallipes]
Cricket, Field	Gryllus campestris
Cricket, Mole	Gryllotalpa gryllotalpa
[ <sup>F33</sup> Damselfly, Southern]	[ <sup>F33</sup> Coenagrion mercuriale]
F39	F39
. . .	. . .
F39	F39
. . .	. . .
[ <sup>F40</sup> “Dolphins (all species but in respect of section 9(4A) and (5) only)“]	Cetacea”]
[ <sup>F29</sup> Dormouse][ <sup>F37</sup> (in respect of section 9(4) (b) and (c) and (5) only)]	[ <sup>F29</sup> Muscardinus avellanarius]
Dragonfly, Norfolk Aeshna	Aeshna isosceles
Frog, Common (in respect of section 9(5) only)	Rana temporaria

---

*Changes to legislation: Wildlife and Countryside Act 1981 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

---

[ <sup>F41</sup> Frog, Pool (Northern Clade) (in respect of section 9(4)(b) and (c)(1) only and with respect to England only)]	[ <sup>F41</sup> Pelophylax lessonae]
[ <sup>F33</sup> Goby, Couch’s]	[ <sup>F33</sup> Gobius couchii]
[ <sup>F33</sup> Goby, Giant]	[ <sup>F33</sup> Gobius cobitis]
Grasshopper, Wart-biter	Decticus verrucivorus
[ <sup>F32</sup> Hatchet Shell, Northern]	[ <sup>F32</sup> Thyasira gouldi]
[ <sup>F33</sup> Hydroid, Marine]	[ <sup>F33</sup> Clavopsella navis]
F42	F42
...	...
[ <sup>F32</sup> Lagoon Snail, De Folin’s]	[ <sup>F32</sup> Caecum armoricum]
[ <sup>F32</sup> Lagoon Worm, Tentacled [ <sup>F43</sup> (in respect of section 9(4)(a) only)]]	[ <sup>F32</sup> Alkmaria romijni]
[ <sup>F29</sup> Leech, Medicinal]	[ <sup>F29</sup> Hirudo medicinalis]
Lizard, Sand [ <sup>F37</sup> (in respect of section 9(4)(b) and (c) and (5) only)]	Lacerta agilis
[ <sup>F44</sup> Lizard, Viviparous (in respect of section 9(5) only)]	[ <sup>F44</sup> Lacerta vivipara]
[ <sup>F29</sup> Marten, Pine]	[ <sup>F29</sup> Martes martes]
[ <sup>F29</sup> Mat. Trembling Sea]	[ <sup>F29</sup> Victorella pavidal]
Moth, Barberry Carpet	Pareulype berberata
Moth, Black-veined	Siona lineata (otherwise known as Idaea lineata)
F42	F42
...	...
[ <sup>F33</sup> Moth, Fiery Clearwing]	[ <sup>F33</sup> Bembecia chrysidiformis]
[ <sup>F33</sup> Moth, Fisher’s Estuarine] [ <sup>F45</sup> (in respect of section 9(4)(b) and (c) and (5) only)]	[ <sup>F33</sup> Gortyna borelii]
Moth, New Forest Burnet	Zygaena viciae
Moth, Reddish Buff	Acosmetia caliginosa
[ <sup>F41</sup> Moth, Slender Scotch Burnet (in respect of section 9(5) only)]	[ <sup>F41</sup> Zygaena loti subspecies scotica]
[ <sup>F32</sup> Moth, Sussex Emerald]	[ <sup>F32</sup> Thalera fimbrialis]
[ <sup>F41</sup> Moth, Talisker Burnet (in respect of section 9(5) only)]	[ <sup>F41</sup> Zygaena lonicerae subspecies jocelynae]
F46	F46
...	...

---

**Changes to legislation:** *Wildlife and Countryside Act 1981 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

---

[ <sup>F33</sup> Mussel, Fan (in respect of section 9(1), (2) and (5) only)]	[ <sup>F33</sup> Atrina fragilis]
[ <sup>F47</sup> Mussel, Freshwater Pearl]	[ <sup>F47</sup> Margaritifera margaritifera]
[ <sup>F48</sup> Newt, Great Crested or Warty (in respect of section 9(4)(b) and (c) and (5) only)]	Triturus cristatus
Newt, Palmate (in respect of section 9(5) only)	Triturus helveticus
Newt, Smooth (in respect of section 9(5) only)	Triturus vulgaris
Otter, Common [ <sup>F37</sup> (in respect of section 9(4) (b) and (c) and (5) only)]	Lutra lutra
<sup>F39</sup> ...	<sup>F39</sup> ...
[ <sup>F49</sup> “Porpoises (all species but in respect of section 9(5) only)	Cetacea”]
[ <sup>F29</sup> Sandworm, Lagoon]	[ <sup>F29</sup> Armandia cirrhosa]
[ <sup>F32</sup> Sea Fan, Pink (in respect of section 9(1), 9(2) and 9(5) only]	[ <sup>F32</sup> Eunicella verrucosa]
[ <sup>F50</sup> Seahorse, Short Snouted (with respect to England [ <sup>F51</sup> and Wales]only)]	[ <sup>F50</sup> Hippocampus hippocampus]
[ <sup>F50</sup> Seahorse, Spiny (with respect to England [ <sup>F52</sup> and Wales]only)]	[ <sup>F50</sup> Hippocampus guttulatus]
[ <sup>F32</sup> Sea Slug, Lagoon]	[ <sup>F32</sup> Tenellia adspersa]
[ <sup>F33</sup> Shad, Twaite (in respect of [ <sup>F53</sup> section 9(1) and (4)(a)]only)]	[ <sup>F33</sup> Alosa fallax]
[ <sup>F50</sup> Shark, Angel [ <sup>F54</sup> (in respect of section 9(1), (2) and (5) only)]]	[ <sup>F50</sup> Squatina squatina]
[ <sup>F33</sup> Shark, Basking]	[ <sup>F33</sup> Cetorhinus maximus]
[ <sup>F29</sup> Shrimp, Fairy]	[ <sup>F29</sup> Chirocephalus diaphanus]
[ <sup>F29</sup> Shrimp, Lagoon Sand [ <sup>F55</sup> (in respect of section 9(4)(a) only)]]	[ <sup>F29</sup> Gammarus insensibilis]
[ <sup>F41</sup> Skate, White (in respect of section 9(1), (2) and (5) only)]	[ <sup>F41</sup> Rostroraja alba]
[ <sup>F44</sup> Slow-worm (in respect of section 9(5) only)]	[ <sup>F44</sup> Anguis fragilis]
<sup>F34</sup> ...	<sup>F34</sup> ...
Snail, Glutinous	Myxas glutinosa

---

*Changes to legislation: Wildlife and Countryside Act 1981 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

---

[ <sup>F50</sup> Snail, Roman (in respect of section 9(1), (2) and (5) only and with respect to England [ <sup>F56</sup> and Wales]only)]	[ <sup>F50</sup> Helix pomatia]
Snail, Sandbowl	Catinella arenaria
[ <sup>F44</sup> Snake, Grass (in respect of section 9(5) only)]	[ <sup>F44</sup> Natrix helvetica (also known as Natrix natrix)]
Snake, Smooth[ <sup>F37</sup> (in respect of section 9(4) (b) and (c) and (5) only)]	Coronella austriaca
Spider, Fen Raft	Dolomedes plantarius
Spider, Ladybird	Eresus niger
Squirrel, Red	Sciurus vulgaris
[ <sup>F32</sup> Sturgeon][ <sup>F37</sup> (in respect of section 9(4)(b) and (c) and (5) only)]	[ <sup>F32</sup> Acipenser sturio]
Toad, Common (in respect of section 9(5) only)	Bufo bufo
Toad, Natterjack[ <sup>F37</sup> (in respect of section 9(4)(b) and (c) and (5) only)]	Bufo calamita
[ <sup>F57</sup> “Turtle, Flatback	Natator depressus”]
[ <sup>F58</sup> Turtle, Green Sea (in respect of section 9(4)(b) and (c) and (5) only)	Chelonia mydas]
[ <sup>F59</sup> Turtle, Hawksbill (in respect of section 9(4)(b) and (c) and (5) only)	Eretmochelys imbricata]
[ <sup>F60</sup> Turtle, Kemp's Ridley Sea (in respect of section 9(4)(b) and (c) and (5) only)	Lepidochelys kempii]
[ <sup>F61</sup> Turtle, Leatherback Sea (in respect of section 9(4)(b) and (c) and (5) only)	Dermochelys coriacea]
[ <sup>F62</sup> Turtle, Loggerhead Sea (in respect of section 9(4)(b) and (c) and (5) only)	Caretta caretta]
[ <sup>F63</sup> Turtle, Olive Ridley	Lepidochelys olivacea]
<sup>F64</sup>	<sup>F64</sup>
...	...
[ <sup>F29</sup> Vendace]	[ <sup>F29</sup> Coregonus albula]
[ <sup>F33</sup> Vole, Water	[ <sup>F33</sup> Arvicola terrestris]
<sup>F65</sup>	
...	
[ <sup>F29</sup> Walrus]	[ <sup>F29</sup> Odebenus rosmarus]
[ <sup>F29</sup> Whale (all species)][ <sup>F66</sup> but in respect of section 9(4A) and (5) only]	[ <sup>F29</sup> Cetacea]

**Changes to legislation:** *Wildlife and Countryside Act 1981 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

[<sup>F29</sup>Whitefish]

[<sup>F29</sup>Coregonus lavaretus]

### Textual Amendments

- F27** By virtue of S.I. 1991/367 , **art. 2(1)** entry is further listed in respect of section 9(1) so far as it relates to killing and injuring
- F28** By virtue of S.I. 1998/878 , **art. 2(2)** entries in Sch. 5 added (16.4.1998) in substitution for the existing entries
- F29** Entry added as provided by S.I. 1988/288 , **art. 2(1)**
- F30** Sch. 5 : words in entry inserted (E.W.) (21.8.2007) by [The Conservation \(Natural Habitats, &c.\) \(Amendment\) Regulations 2007 \(S.I. 2007/1843\)](#) , **reg. 7(7)(b)**
- F31** Sch. 5 : words in entry inserted (E.W.) (21.8.2007) by [The Conservation \(Natural Habitats, &c.\) \(Amendment\) Regulations 2007 \(S.I. 2007/1843\)](#) , **reg. 7(7)(c)**
- F32** Entries in Sch. 5 added (29.10.1992) by S.I. 1992/2350 , **art. 2(1)**
- F33** Entries in Sch. 5 added (16.4.1998) by S.I. 1998/878 , **art. 2(1)**
- F34** Entry removed from Schedule as provided by S.I. 1988/288 , **art. 2(5)**
- F35** Entry added (in respect of s. 9(5) only) by S.I. 1989/906 , **art. 2**
- F36** Entries in Sch. 5 substituted (29.10.1992) by S.I. 1992/2350 , **art. 2(2)**
- F37** Sch. 5 : words in entries inserted (E.W.) (21.8.2007) by [The Conservation \(Natural Habitats, &c.\) \(Amendment\) Regulations 2007 \(S.I. 2007/1843\)](#) , **reg. 7(7)(a)**
- F38** Entry added (only in respect of s. 9(1) so far as it relates to taking and in respect of s. 9(5)) by S.I. 1988/288 , **art. 2(3)**
- F39** Sch. 5 : entries relating to dolphins or porpoises omitted (21.7.2007) by virtue of [The Conservation \(Natural Habitats &c. \) \(Amendment\) Regulations 2007 \(S.I. 2007/1843\)](#) , **art. 7(7)(g)**
- F40** Sch. 5 : entry added (E.W.) (21.8.2007) by [The Conservation \(Natural Habitats, &c.\) \(Amendment\) Regulations 2007 \(S.I. 2007/1843\)](#) , **reg. 7(7)(h)**
- F41** Entries in Sch. 5 inserted (E.W.) (1.10.2011) by [The Wildlife and Countryside Act 1981 \(Variation of Schedules 5 and 8\) \(England and Wales\) Order 2011 \(S.I. 2011/2015\)](#) , arts. 1(b) , 2(2) , **Sch. 1**
- F42** Entries in Sch. 5 omitted (E.W.) (1.10.2011) by virtue of [The Wildlife and Countryside Act 1981 \(Variation of Schedules 5 and 8\) \(England and Wales\) Order 2011 \(S.I. 2011/2015\)](#) , arts. 1(b) , 2(3) , **Sch. 2**
- F43** Words in Sch. 5 entry inserted (E.W.) (1.10.2011) by [The Wildlife and Countryside Act 1981 \(Variation of Schedules 5 and 8\) \(England and Wales\) Order 2011 \(S.I. 2011/2015\)](#) , arts. 1(b) , **2(4)**
- F44** By S. I. 1988/288 , **art. 2(4)** entry (which is already listed in respect of section 9(5) only) is further listed in respect of s. 9(1) so far as it relates to killing and injuring
- F45** Sch. 5 : words inserted (E.W.) (1.10.2008) by [The Conservation \(Natural Habitats, &c.\) \(Amendment\) \(England and Wales\) Regulations 2008 \(S.I. 2008/2127\)](#) , **reg. 4**
- F46** Entry in Sch. 5 (which was added as provided by S.I. 1988/288 , **art. 2(1)** ) removed (16.4.1998) by S.I. 1998/878 , **art. 2(3)**
- F47** By virtue of S.I. 1998/878 , **art. 2(2)** entry in Sch. 5 added (27.3.1998) in substitution for the existing entry
- F48** Sch. 5 : words in entry substituted (E.W.) (21.8.2007) by [The Conservation \(Natural Habitats, &c.\) \(Amendment\) Regulations 2007 \(S.I. 2007/1843\)](#) , **reg. 7(7)(d)**
- F49** Sch. 5 : entry added (E.W.) (21.8.2007) by [The Conservation \(Natural Habitats, &c.\) \(Amendment\) Regulations 2007 \(S.I. 2007/1843\)](#) {reg. 7(7)(h)}
- F50** Sch. 5 : entries inserted (E.W.) (6.4.2008) by [The Wildlife and Countryside Act 1981 \(Variation of Schedule 5\) \(England\) Order 2008 \(S.I. 2008/431\)](#) , art. 2 , **Sch.**
- F51** Sch. 5 : words in entry relating to "Seahorse, Short Snouted" inserted (E.W.) (12.8.2008) by [The Wildlife and Countryside Act 1981 \(Variation of Schedule 5\) \(Wales\) Order 2008 \(S.I. 2008/1927\)](#) , **art. 2(a)**
- F52** Sch. 5 : words in entry relating to "Seahorse, Spiny" inserted (E.W.) (12.8.2008) by [The Wildlife and Countryside Act 1981 \(Variation of Schedule 5\) \(Wales\) Order 2008 \(S.I. 2008/1927\)](#) , **art. 2(b)**

**Changes to legislation:** *Wildlife and Countryside Act 1981 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

- F53** Words in Sch. 5 entry substituted (E.W.) (1.10.2011) by [The Wildlife and Countryside Act 1981 \(Variation of Schedules 5 and 8\) \(England and Wales\) Order 2011 \(S.I. 2011/2015\)](#) , arts. 1(b) , **2(5)**
- F54** Words in Sch. 5 entry substituted (E.W.) (1.10.2011) by [The Wildlife and Countryside Act 1981 \(Variation of Schedules 5 and 8\) \(England and Wales\) Order 2011 \(S.I. 2011/2015\)](#) , arts. 1(b) , **2(6)**
- F55** Words in Sch. 5 entry inserted (E.W.) (1.10.2011) by [The Wildlife and Countryside Act 1981 \(Variation of Schedules 5 and 8\) \(England and Wales\) Order 2011 \(S.I. 2011/2015\)](#) , arts. 1(b) , **2(7)**
- F56** Sch. 5 : words in entry relating to "Snail, Roman" inserted (E.W.) (12.8.2008) by [The Wildlife and Countryside Act 1981 \(Variation of Schedule 5\) \(Wales\) Order 2008 \(S.I. 2008/1927\)](#) , **art. 2(d)**
- F57** Sch. 5 : entry added (E.W.) (21.8.2007) by [The Conservation \(Natural Habitats, &c.\) \(Amendment\) Regulations 2007 \(S.I. 2007/1843\)](#) {reg. 7(7)(h)}
- F58** Sch. 5 : entry added (E.W.) (21.8.2007) by [The Conservation \(Natural Habitats, &c.\) \(Amendment\) Regulations 2007 \(S.I. 2007/1843\)](#) {reg. 7(7)(h)}
- F59** Sch. 5 : entry added (E.W.) (21.8.2007) by [The Conservation \(Natural Habitats, &c.\) \(Amendment\) Regulations 2007 \(S.I. 2007/1843\)](#) {reg. 7(7)(h)}
- F60** Sch. 5 : entry added (E.W.) (21.8.2007) by [The Conservation \(Natural Habitats, &c.\) \(Amendment\) Regulations 2007 \(S.I. 2007/1843\)](#) {reg. 7(7)(h)}
- F61** Sch. 5 : entry added (E.W.) (21.8.2007) by [The Conservation \(Natural Habitats, &c.\) \(Amendment\) Regulations 2007 \(S.I. 2007/1843\)](#) {reg. 7(7)(h)}
- F62** Sch. 5 : entry added (E.W.) (21.8.2007) by [The Conservation \(Natural Habitats, &c.\) \(Amendment\) Regulations 2007 \(S.I. 2007/1843\)](#) {reg. 7(7)(h)}
- F63** Sch. 5 : entry added (E.W.) (21.8.2007) by [The Conservation \(Natural Habitats, &c.\) \(Amendment\) Regulations 2007 \(S.I. 2007/1843\)](#) {reg. 7(7)(h)}
- F64** Sch. 5 : entry of "Turtles, Marine (all species)" and "Dermochelyidae and Cheloniidae" omitted (E.W.) (21.8.2007) by virtue of [The Conservation \(Natural Habitats, &c.\) \(Amendment\) Regulations 2007 \(S.I. 2007/1843\)](#) , **reg. 7(7)(e)**
- F65** Sch. 5 : words in entry relating to "Vole, Water" omitted (E.W.) (12.8.2008) by virtue of [The Wildlife and Countryside Act 1981 \(Variation of Schedule 5\) \(Wales\) Order 2008 \(S.I. 2008/1927\)](#) , **art. 2(e)**
- F66** Sch. 5 : words in entry inserted (E.W.) (21.8.2007) by [The Conservation \(Natural Habitats, &c.\) \(Amendment\) Regulations 2007 \(S.I. 2007/1843\)](#) , **reg. 7(7)(f)**

Note. The common name or names given in the first column of this Schedule are included by way of guidance only; in the event of any dispute or proceedings, the common name or names shall not be taken into account.

[<sup>F67</sup> NOTE 2. <sup>F68</sup>...]

#### Textual Amendments

- F67** Sch. 5 : Note 2 inserted (E.W.) (6.4.2008) by [The Wildlife and Countryside Act 1981 \(Variation of Schedule 5\) \(England\) Order 2008 \(S.I. 2008/431\)](#) , **art. 2(c)**
- F68** Sch. 5 Note 2 omitted (E.W.) (1.10.2011) by virtue of [The Wildlife and Countryside Act 1981 \(Variation of Schedules 5 and 8\) \(England and Wales\) Order 2011 \(S.I. 2011/2015\)](#) , arts. 1(b) , **2(8)**

**Changes to legislation:** *Wildlife and Countryside Act 1981 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

[<sup>F69</sup>SCHEDULE 5A (introduced by sections 10A and 22)

ANIMALS WHICH ARE PROTECTED UNDER SECTION 10A IN THEIR CLOSE SEASON

**Textual Amendments**

**F69** Sch. 5A inserted (S.) (29.6.2011) by [Wildlife and Natural Environment \(Scotland\) Act 2011 \(asp 6\)](#) , **ss. 6(5)** , **43(1)** (with s. 41(1)); S.S.I. 2011/279 , art. 2(1)(d)

<i>Common name</i>	<i>Scientific name</i>
<sup>F70</sup>	<sup>F71</sup>
...	...
Hare, brown	Lepus europaeus]

**Textual Amendments**

**F70** Words in Sch. 5A repealed (1.3.2021) by [Animals and Wildlife \(Penalties, Protections and Powers\) \(Scotland\) Act 2020 \(asp 14\)](#) , **ss. 18(4)(a)** , 22(2); S.S.I. 2021/42, reg. 2

**F71** Words in Sch. 5A repealed (1.3.2021) by [Animals and Wildlife \(Penalties, Protections and Powers\) \(Scotland\) Act 2020 \(asp 14\)](#) , **ss. 18(4)(b)** , 22(2); S.S.I. 2021/42, reg. 2

SCHEDULE 6

Sections 11 and 22.

ANIMALS WHICH MAY NOT BE KILLED OR TAKEN BY CERTAIN METHODS

<i>Common name</i>	<i>Scientific name</i>
Badger	Meles meles
[ <sup>F72</sup> Bats, Horseshoe (all species)	Rinolophidae]
[ <sup>F72</sup> Bats, Typical (all species)	Vespertilionidae]
[ <sup>F72</sup> Cat, Wild	Felis silvestris]
[ <sup>F72</sup> Dolphin, Bottle-nosed	Tursiops truncatus (otherwise known as Tursiops tursio)]
[ <sup>F72</sup> Dolphin, Common	Delphinis delphis]
[ <sup>F72</sup> Dormice (all species)	Gliridae]
Hedgehog	Erinaceus europaeus
[ <sup>F72</sup> Marten, Pine	Martes martes]
[ <sup>F72</sup> Otter, Common	Lutra lutra]
[ <sup>F72</sup> Polecat	Mustela putorius]

**Changes to legislation:** *Wildlife and Countryside Act 1981 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

[ <sup>F72</sup> Porpoise, Harbour (otherwise known as Common porpoise)	Phocaena phocaena]
Shrews (all species)	Soricidae
Squirrel, Red	Sciurus vulgaris

#### Textual Amendments

**F72** Entries in Sch. 6 repealed (S.) (29.6.2011) by [Wildlife and Natural Environment \(Scotland\) Act 2011 \(asp 6\)](#) , **ss. 19** , [43\(1\)](#) (with s. 41(1)); S.S.I. 2011/279 , art. 2(1)(k)

Note. The common name or names given in the first column of this Schedule are included by way of guidance only; in the event of any dispute or proceedings, the common name or names shall not be taken into account.

### [<sup>F73</sup>SCHEDULE 6ZA

Section 11(2)

#### ANIMALS WHICH MAY NOT BE KILLED OR TAKEN BY TRAPPING OR SNARING

#### Textual Amendments

**F73** Sch. 6ZA inserted (28.3.2019) by [The Humane Trapping Standards Regulations 2019 \(S.I. 2019/22\)](#), [reg. 1\(1\)](#), **Sch.** (with [reg. 9](#))

<i>Common name</i>	<i>Scientific name</i>
Badger	Meles meles
Beaver, European	Castor fiber
Marten, Pine	Martes martes
Otter, Common	Lutra lutra
Stoat (otherwise known as Ermine)	Mustela erminea

NOTE. The common name or names given in the first column of this Schedule are included by way of guidance only; in the event of any dispute or proceedings, the common name or names shall not be taken into account.]



**Changes to legislation:** *Wildlife and Countryside Act 1981 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

[<sup>F74</sup>SCHEDULE 6A (introduced by sections 11G and 22)

ANIMALS NOT TO BE POACHED

**Textual Amendments**

**F74** Sch. 6A inserted (S.) (29.6.2011) by *Wildlife and Natural Environment (Scotland) Act 2011 (asp 6)* , **ss. 7(4)** , **43(1)** (with s. 41(1)); S.S.I. 2011/279 , art. 2(1)(e)

<i>Common name</i>	<i>Scientific name</i>
Hare, mountain	<i>Lepus timidus</i>
Hare, brown	<i>Lepus europaeus</i>
Rabbit	<i>Oryctolagus cuniculus</i> ]

SCHEDULE 7

[<sup>F75</sup> PROTECTION OF CERTAIN MAMMALS][<sup>F75</sup> AMENDMENT OF ACTS IN RELATION TO NIGHT SHOOTING OF HARES AND RABBITS]

**Textual Amendments**

**F75** Sch. 7 heading substituted (S.) (1.1.2012) by *Wildlife and Natural Environment (Scotland) Act 2011 (asp 6)* , **ss. 11(4)(a)** , **43(1)** (with s. 41(1)); S.S.I. 2011/433 , art. 2(1)(b)

*The Ground Game Act 1880*

- 1 (1) Notwithstanding the provisions of section 6 of the <sup>M1</sup> Ground Game Act 1880, it shall not be unlawful for the occupier of any land himself, or one other person authorised by him under section 1 of that Act, to use firearms for the purpose of killing ground game thereon between the expiration of the first hour after sunset and the commencement of the last hour before sunrise if (except where he has the exclusive right) the occupier has the written authority of the other person or one of the other persons entitled to kill and take the ground game on the land.
- (2) In this paragraph “ ground game ” means hares and rabbits.

**Marginal Citations**

**M1** 1880 c. 47 .

*The Agriculture (Scotland) Act 1948*

- 2 (1) Notwithstanding the provisions of section 50(1)(a) of the <sup>M2</sup> Agriculture (Scotland) Act 1948, it shall not be unlawful for the owner of the shooting rights on any land or any person holding those rights from him, or subject to sub-paragraph (2) below the occupier of any land, to use a firearm for the purpose of killing ground game thereon

**Changes to legislation:** *Wildlife and Countryside Act 1981 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

between the expiration of the first hour after sunset and the commencement of the last hour before sunrise.

- (2) The occupier of any land shall not use a firearm as mentioned in sub-paragraph (1) above unless (except where he has the exclusive right) he has first obtained the written authority of the other person or one of the other persons entitled to kill and take the ground game on the land.
- (3) An occupier who is entitled, in terms of this paragraph, to use a firearm for the purpose of killing ground game may, subject to the provisions of section 1 of the Ground Game Act 1880, authorise one other person so to use a firearm.
- (4) In this paragraph “ ground game ” means hares and rabbits.

#### Marginal Citations

M2 1948 c. 45 .

#### *The Dogs (Protection of Livestock) Act 1953*

- <sup>x1</sup> 3 (1) At the end of subsection (2) of section 1 of the <sup>M3</sup> Dogs (Protection of Livestock) Act 1953 (penalty where dog worries livestock on agricultural land) there shall be inserted the words “or
- (c) being at large (that is to say not on a lead or otherwise under close control) in a field or enclosure in which there are sheep”.
- (2) After that subsection there shall be inserted the following subsection—
- “(2A) Subsection (2)(c) of this section shall not apply in relation to—
    - (a) a dog owned by, or in charge of, the occupier of the field or enclosure or the owner of the sheep or a person authorised by either of those persons ; or
    - (b) a police dog, a guide dog, a trained sheep dog, a working gun dog or a pack of hounds.”

#### Editorial Information

X1 The text of Sch. 7 paras. 3-12 and Sch. 10 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

#### Marginal Citations

M3 1953 c. 28 .

#### *The Deer Act 1963*

- <sup>x2</sup> <sup>F76</sup> 4 For subsection (3) of section 10 of the <sup>M4</sup> Deer Act 1963 (general exceptions) there shall be substituted the following subsections—
- “(3) A person shall not be guilty of an offence under section 3(1)(c)(i) of this Act by reason of any smooth-bore gun for the purpose of killing any deer if he shows that the deer had been so seriously injured otherwise than by his unlawful act or was in such a condition that to kill it was an act of mercy.

**Changes to legislation:** *Wildlife and Countryside Act 1981 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

- (4) A person shall not be guilty of an offence under section 3(1)(c)(i) of this Act by reason of the use as a slaughtering instrument, for the purpose of killing any deer, of a smooth-bore gun which—
- (a) is of not less gauge than 12 bore ;
  - (b) has a barrel less than 24 inches (609.6 millimetres) in length ; and
  - (c) is loaded with a cartridge purporting to contain shot none of which is less than .203 inches (5.16 millimetres) in diameter (that is to say, size AAA or any larger size).”]

#### Editorial Information

**X2** The text of Sch. 7 paras. 3-12 and Sch. 10 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

#### Textual Amendments

**F76** Sch. 7 para. 4 repealed (E.W.) (25.10.1991) by [Deer Act 1991 \(c. 54, SIF 4:3\)](#) , [ss. 17\(6\)](#) , [18\(3\)](#) , [Sch.4](#) .

#### Marginal Citations

**M4** [1963 c. 36](#) .

<sup>x3</sup><sup>F77</sup> §(1) After section 10 of that Act there shall be inserted the following section—

#### “ Exceptions for authorised persons.

- (1) Subject to subsection (3) of this section an authorised person shall not be guilty of an offence under section 1 of this Act by reason of—
  - (a) the taking of killing of any deer by means of shooting ; or
  - (b) the injuring of any deer by means of shooting in an attempt to take or kill it,
 on any cultivated land, pasture or enclosed woodland.
- (2) Subject to subsection (3) of this section an authorised person shall not be guilty of an offence under section 1 of this Act by reason of—
  - (a) the taking or killing of any deer by means of shooting ; or
  - (b) the injuring of any deer by means of shooting in an attempt to take or kill it,
 on any cultivated land, pasture or enclosed woodland.
- (2) Subject to subsection (3) of this section an authorised person shall not be guilty of an offence under section 3(1)(c)(i) of this Act by reason of the use, for the purpose of taking or killing any deer on any land, of any smooth-bore gun of not less gauge than 12 bore which is loaded with—
  - (a) a cartridge containing a single non-spherical projectile weighing not less than 350 grains (22.68 grammes) ; or
  - (b) a cartridge purporting to contain shot each of which is .203 inches (5.16 millimetres) in diameter (that is to say, size AAA).
- (3) An authorised person shall not be entitled to rely on the defence provided by subsection (1) or (2) of this section as respects anything done in relation to any deer on any land unless he shows that—

---

**Changes to legislation:** *Wildlife and Countryside Act 1981 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

---

- (a) he had reasonable grounds for believing that caused, damage to crops, vegetables, fruit, growing timber or any other form of property on the land ;
  - (b) it was likely that further damage would be so caused and any such damage was likely to be serious ; and
  - (c) his action was necessary for the purpose of preventing any such damage.
- (4) The Secretary of State and the agriculture Minister acting jointly may by order, either generally or in relation to any area or any species and description of deer specified in the order, repeal subsection (2) of this section or amend it by adding any firearm or ammunition or by altering the description of, or deleting, any firearm or ammunition mentioned in it, or by adding any further conditions which must be satisfied.
- (5) Before making an order under subsection (4) of this section, the Secretary of State and the agriculture Minister shall consult organisations that appear to them to represent persons likely to be interested in or affected by the order.
- (6) In this section—
- “ agriculture Minister ” means the Minister of Agriculture Fisheries and Food in relation to England and the Secretary of State for Wales in relation to Wales ;
- “ authorised person ” means—
- (a) the occupier of the land on which the action is taken ;
  - (b) any member of the occupier’s household normally resident on the occupier’s land, acting with the written authority of the occupier ;
  - (c) any person in the ordinary service of the occupier on the occupier’s land, acting with the written authority of the occupier ; or
  - (d) any person having the right to take or kill deer on the land on which the action is taken or any person acting with the written authority of a person having that right.”
- (2) In sections 1(1) and 3(1) of that Act for the words “sections 10 and 11” there shall be substituted the words “sections 10, 10A and 11”.
- (3) For subsection (1) of section 12 of that Act (orders) there shall be substituted the following subsections—
- “(1) Any power to make orders under this Act shall be exercisable by statutory instrument.
  - (1A) A statutory instrument containing an order under section 1(2) or 3(4) of this Act shall be subject to annulment in pursuance of a resolution of either House of Parliament.
  - (1B) No order under section 10A(4) of this Act shall be made unless a draft of the order has been laid before and approved by a resolution of each House of Parliament.”]

**Changes to legislation:** *Wildlife and Countryside Act 1981 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

#### Editorial Information

**X3** The text of Sch. 7 paras. 3-12 and Sch. 10 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

#### Textual Amendments

**F77** Sch. 7 para. 5 repealed (E.W.) (25.10.1991) by [Deer Act 1991 \(c. 54, SIF 4:3\)](#), ss. 17(6), 18(3), [Sch.4](#).

<sup>x4</sup><sup>F78</sup> (1) In paragraph 1 of Schedule 2 to that Act (prohibited firearms and ammunition) the words “of less gauge than 12 bore” shall be omitted.

(2) In paragraph 4 of that Schedule the words from “other than” onwards shall be omitted.]

#### Editorial Information

**X4** The text of Sch. 7 paras. 3-12 and Sch. 10 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

#### Textual Amendments

**F78** Sch. 7 para. 6 repealed (E.W.) (25.10.1991) by [Deer Act 1991 \(c. 54, SIF 4:3\)](#), ss. 17(6), 18(3), [Sch.4](#).

#### *The Conservation of Seals Act 1970*

<sup>x5</sup> 7 (1) In subsection (1)(c) of section 10 of the <sup>M5</sup> Conservation of Seals Act 1970 (power to grant licences), the word “or” immediately following sub-paragraph (ii) shall be omitted and after sub-paragraph (iii) there shall be inserted the words “or

(iv) the protection of flora or fauna in an area to which subsection (4) of this section applies.”

(2) In subsection (3)(b) of that section for the words from “a nature reserve” onwards there shall substituted the words “an area to which subsection (4) of this section applies”.

(3) After subsection (3) of that section there shall be inserted the following subsection—

“(4) This subsection applies to any area which—

- (a) is a nature reserve within the meaning of section 15 of the National Parks and Access to the Countryside Act 1949 ;
- (b) has been notified under section 28(1) of the Wildlife and Countryside Act 1981 (areas of special scientific interest) ;
- (c) is an area to which section 29(3) of that Act (special protection for certain areas of special scientific interest) applies ; or
- (d) has been designated as a marine nature reserve under section 36 of that Act.”

*Changes to legislation: Wildlife and Countryside Act 1981 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

#### Editorial Information

**X5** The text of Sch. 7 paras. 3-12 and Sch. 10 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

#### Marginal Citations

**M5** 1970 c. 30 .

### *The Badgers Act 1973*

**F79** 8 . . . . .

#### Textual Amendments

**F79** Sch. 7 para. 8 repealed (16.10.1992) by [Protection of Badgers Act 1992 \(c. 51\)](#) , **s. 15(2)(3)** ,Sch.

**F80** 9 . . . . .

#### Textual Amendments

**F80** Sch. 7 para. 9 repealed (16.10.1992) by [Protection of Badgers Act 1992 \(c. 51\)](#) , **s. 15(2)(3)** ,Sch.

**F81** 10 . . . . .

#### Textual Amendments

**F81** Sch. 7 para. 10 repealed (16.10.1992) by [Protection of Badgers Act 1992 \(c. 51\)](#) , **s. 15(2)(3)** ,Sch.

**F82** 11 . . . . .

#### Textual Amendments

**F82** Sch. 7 para. 11 repealed (16.10.1992) by [Protection of Badgers Act 1992 \(c. 51\)](#) , **s. 15(2)(3)** ,Sch.

**F83** 12 . . . . .

#### Textual Amendments

**F83** Sch. 7 para. 12 repealed (16.10.1992) by [Protection of Badgers Act 1992 \(c. 51\)](#) , **s. 15(2)(3)** ,Sch.

## SCHEDULE 8

Sections 13, 22 and 24.

### PLANTS WHICH ARE PROTECTED

*Common name*

*Scientific name*

---

**Changes to legislation:** *Wildlife and Countryside Act 1981 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

---

[ <sup>F84</sup> Adder's-tongue, Least]	[ <sup>F84</sup> Ophioglossum lusitanicum]
Alison, Small	Alyssum alyssoides
[ <sup>F85</sup> Anomodon, Long-leaved]	[ <sup>F85</sup> Anomodon longifolius]
[ <sup>F85</sup> Beech-lichen, New Forest]	[ <sup>F85</sup> Enterographa elaborata]
[ <sup>F86</sup> Blackwort]	[ <sup>F86</sup> Southbya nigrella]
[ <sup>F85</sup> Bluebell (in respect of section 13(2) only)]	[ <sup>F85</sup> Hyacinthoides non-scripta]
[ <sup>F85</sup> Bolete, Royal]	[ <sup>F85</sup> Boletus regius]
Broomrape, Bedstraw	Orobanche caryophyllacea
Broomrape, Oxtongue	Orobanche loricata
Broomrape, Thistle	Orobanche reticulata
[ <sup>F84</sup> Cabbage, Lundy]	[ <sup>F84</sup> Rhynchosinapis wrightii]
Calamint, Wood	Calamintha sylvatica
[ <sup>F86</sup> Caloplaca, Snow]	[ <sup>F86</sup> Caloplaca nivalis]
[ <sup>F86</sup> Catapyrenium, Tree]	[ <sup>F86</sup> Catapyrenium psoromoides]
Catchfly, Alpine	Lychnis alpina
[ <sup>F86</sup> Catillaria, Laurer's]	[ <sup>F86</sup> Catellaria laurei]
[ <sup>F86</sup> Centaury, Slender]	[ <sup>F86</sup> Centaureum tenuiflorum]
Cinquefoil, Rock	Potentilla rupestris
[ <sup>F85</sup> Cladonia, Convoluted]	[ <sup>F85</sup> Cladonia convoluta]
[ <sup>F86</sup> Cladonia, Upright Mountain]	[ <sup>F86</sup> Cladonia stricta]
[ <sup>F86</sup> Clary, Meadow]	[ <sup>F86</sup> Salvia pratensis]
Club-rush, Triangular	Scirpus triquetrus
[ <sup>F84</sup> Colt's-foot, Purple]	[ <sup>F84</sup> Homogyne alpina]
Cotoneaster, Wild	Cotoneaster integerrimus
[ <sup>F84</sup> Cottongrass, Slender]	[ <sup>F84</sup> Eriophorum gracile]
Cow-wheat, Field	Melampyrum arvense
[ <sup>F84</sup> Crocus, Sand]	[ <sup>F84</sup> Romulea columnae]
[ <sup>F86</sup> Crystalwort, Lizard]	[ <sup>F86</sup> Riccia bifurca]
[ <sup>F86</sup> Cudweed, Broad-leaved]	[ <sup>F86</sup> Filago pyramidata]
Cudweed, Jersey	Gnaphalium luteoalbum
[ <sup>F84</sup> Cudweed, Red-tipped]	[ <sup>F84</sup> Filago lutescens]
[ <sup>F85</sup> Cut-grass]	[ <sup>F85</sup> Leersia oryzoides]

---

*Changes to legislation: Wildlife and Countryside Act 1981 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

---

[ <sup>F85</sup> Deptford Pink (in respect of England and Wales only)]	[ <sup>F85</sup> Dianthus armeria]
Diapensia	Diapensia lapponica
[ <sup>F87</sup> [ <sup>F86</sup> Dock, Shore][ <sup>F88</sup> (in respect of section 13(2) only)]]	[ <sup>F87</sup> [ <sup>F86</sup> Rumex rupestris]]
[ <sup>F86</sup> Earwort, Marsh]	[ <sup>F86</sup> Jamesoniella undulifolia]
Eryngo, Field	Eryngium campestre
[ <sup>F85</sup> Feather-moss, Polar]	[ <sup>F85</sup> Hygrohypnum polare]
Fern, Dickie’s Bladder	Cystopteris dickieana
[ <sup>F87</sup> Fern, Killarney [ <sup>F89</sup> (in respect of section 13(2) only)]]	[ <sup>F87</sup> Trichomanes speciosum]
[ <sup>F86</sup> Flapwort, Norfolk]	[ <sup>F86</sup> Leiocolea rutheana]
[ <sup>F84</sup> Fleabane, Alpine]	[ <sup>F84</sup> Erigeron borealis]
[ <sup>F84</sup> Fleabane, Small]	[ <sup>F84</sup> Pulicaria vulgaris]
[ <sup>F86</sup> Frostwort, Pointed]	[ <sup>F86</sup> Gymnomitrium apiculatum]
[ <sup>F85</sup> Fungus, Hedgehog]	[ <sup>F85</sup> Hericium erinaceum]
Galingale, Brown	Cyperus fuscus
Gentian, Alpine	Gentiana nivalis
[ <sup>F86</sup> Gentian, Dune]	[ <sup>F86</sup> Gentianella uliginosa]
[ <sup>F87</sup> [ <sup>F86</sup> Gentian, Early][ <sup>F90</sup> (in respect of section 13(2) only)]]	[ <sup>F87</sup> [ <sup>F86</sup> Gentianella anglica]]
[ <sup>F84</sup> Gentian, Fringed]	[ <sup>F84</sup> Gentianella ciliata]
Gentian, Spring	Gentiana verna
[ <sup>F84</sup> Germander, Cut-leaved]	[ <sup>F84</sup> Teucrium botrys]
Germander, Water	Teucrium scordium
Gladiolus, Wild	Gladiolus illyricus
[ <sup>F85</sup> Goblin Lights]	[ <sup>F85</sup> Catolechia wahlenbergii]
[ <sup>F84</sup> Goosefoot, Stinking]	[ <sup>F84</sup> Chenopodium vulvaria]
[ <sup>F84</sup> Grass-poly]	[ <sup>F84</sup> Lythrum hyssopifolia]
[ <sup>F86</sup> Grimmia, Blunt-leaved]	[ <sup>F86</sup> Grimmia unicolor]
[ <sup>F86</sup> Gyalecta, Elm]	[ <sup>F86</sup> Gyalecta ulmi]
Hare’s-ear, Sickle-leaved	Bupleurum falcatum
Hare’s-ear, Small	Bupleurum baldense
[ <sup>F84</sup> Hawk’s-beard, Stinking]	[ <sup>F84</sup> Crepis foetida]



---

**Changes to legislation:** *Wildlife and Countryside Act 1981 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

---

[ <sup>F86</sup> Hawkweed, Northroe]	[ <sup>F86</sup> Hieracium northroense]
[ <sup>F86</sup> Hawkweed, Shetland]	[ <sup>F86</sup> Hieracium zetlandicum]
[ <sup>F86</sup> Hawkweed, Weak-leaved]	[ <sup>F86</sup> Hieracium attenuatifolium]
Heath, Blue	Phyllodoce caerulea
Helleborine, Red	Cephalanthera rubra
[ <sup>F91</sup> [ <sup>F84</sup> Helleborine, Young's]]	[ <sup>F91</sup> [ <sup>F84</sup> Epipactis youngiana]]
[ <sup>F84</sup> Horsetail, Branched]	[ <sup>F84</sup> Equisetum ramosissimum]
[ <sup>F84</sup> Hound's-tongue, Green]	[ <sup>F84</sup> Cynoglossum germanicum]
Knawel, Perennial	Scleranthus perennis
Knotgrass, Sea	Polygonum maritimum
[ <sup>F87</sup> Lady's-slipper [ <sup>F92</sup> (in respect of section 13(2) only)]]	[ <sup>F87</sup> Cypripedium calceolus]
F93	F93
...	...
F93	F93
...	...
[ <sup>F91</sup> [ <sup>F86</sup> Lecanactis, Churchyard]]	[ <sup>F91</sup> [ <sup>F86</sup> Lecanactis hemisphaerica]]
[ <sup>F86</sup> Lecanora, Tarn]	[ <sup>F86</sup> Lecanora archariana]
[ <sup>F86</sup> Lecidea, Copper]	[ <sup>F86</sup> Lecidea inops]
Leek, Round-headed	Allium sphaerocephalon
Lettuce, Least	Lactuca saligna
[ <sup>F86</sup> Lichen, Arctic Kidney]	[ <sup>F86</sup> Nephroma arcticum]
[ <sup>F86</sup> Lichen, Ciliate Strap]	[ <sup>F86</sup> Heterodermia leucomelos]
[ <sup>F86</sup> Lichen, Coralloid Rosette]	[ <sup>F86</sup> Heterodermia propagulifera]
[ <sup>F86</sup> Lichen, Ear-lobed Dog]	[ <sup>F86</sup> Peltigera lepidophora]
[ <sup>F86</sup> Lichen, Forked Hair]	[ <sup>F86</sup> Bryoria furcellata]
[ <sup>F86</sup> Lichen, Golden Hair]	[ <sup>F86</sup> Teloschistes flavicans]
[ <sup>F86</sup> Lichen, Orange Fruited Elm]	[ <sup>F86</sup> Caloplaca luteoalba]
[ <sup>F86</sup> Lichen, River Jelly]	[ <sup>F86</sup> Collema dichotomum]
[ <sup>F86</sup> Lichen, Scaly Breck]	[ <sup>F86</sup> Squamarina lentigera]
[ <sup>F86</sup> Lichen, Stary Breck]	[ <sup>F86</sup> Buellia asterella]
Lily, Snowdon	Lloydia serotina
[ <sup>F86</sup> Liverwort]	[ <sup>F86</sup> Petallophyllum ralfsi]
[ <sup>F86</sup> Liverwort, Lindenberg's Leafy]	[ <sup>F86</sup> Adelanthus lindenbergianus]

---

*Changes to legislation: Wildlife and Countryside Act 1981 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

---

Marsh-mallow, Rough	Althaea hirsuta
[ <sup>F87</sup> [ <sup>F84</sup> Marshwort, Creeping]] <sup>F94</sup> (in respect of section 13(2) only)]	[ <sup>F87</sup> [ <sup>F84</sup> Apium repens]]
[ <sup>F84</sup> Milk-parsley, Cambridge]	[ <sup>F84</sup> Selinum carvifolia]
[ <sup>F86</sup> Moss]	[ <sup>F86</sup> Drepanocladus vernicosus]
[ <sup>F86</sup> Moss, Alpine Copper]	[ <sup>F86</sup> Mielichoferia mielichoferi]
[ <sup>F86</sup> Moss, Baltic Bog]	[ <sup>F86</sup> Sphagnum balticum]
[ <sup>F86</sup> Moss, Blue Dew]	[ <sup>F86</sup> Saelania glaucescens]
[ <sup>F86</sup> Moss, Blunt-leaved Bristle]	[ <sup>F86</sup> Orthotrichum obtusifolium]
[ <sup>F86</sup> Moss, Bright Green Cave]	Cyclodictyon laetevirens]
[ <sup>F86</sup> Moss, Cordate Beard]	[ <sup>F86</sup> Barbula cordata]
[ <sup>F86</sup> Moss, Cornish Path]	[ <sup>F86</sup> Ditrichum cornubicum]
[ <sup>F86</sup> Moss, Derbyshire Feather]	[ <sup>F86</sup> Thamnobryum angustifolium]
[ <sup>F91</sup> [ <sup>F86</sup> Moss, Dune Thread]]	[ <sup>F91</sup> [ <sup>F86</sup> Bryum mamillatum]]
[ <sup>F85</sup> Moss, Flamingo]	[ <sup>F85</sup> Desmatodon cernuus]
[ <sup>F86</sup> Moss, Glaucous Beard]	[ <sup>F86</sup> Barbula glauca]
[ <sup>F86</sup> Moss, Green Shield]	[ <sup>F86</sup> Buxbaumia viridis]
[ <sup>F86</sup> Moss, Hair Silk]	[ <sup>F86</sup> Plagiothecium piliferum]
[ <sup>F86</sup> Moss, Knothole]	[ <sup>F86</sup> Zygodon forsteri]
[ <sup>F86</sup> Moss Large Yellow Feather]	[ <sup>F86</sup> Scorpidium turgescens]
[ <sup>F86</sup> Moss, Millimetre]	[ <sup>F86</sup> Micromitrium tenerum]
[ <sup>F86</sup> Moss, Multifruited River]	[ <sup>F86</sup> Cryphaea lamyana]
[ <sup>F86</sup> Moss, Nowell's Limestone]	[ <sup>F86</sup> Zygodon gracilis]
[ <sup>F86</sup> Moss, Rigid Apple]	[ <sup>F86</sup> Bartramia stricta]
[ <sup>F86</sup> Moss, Round-leaved Feather]	[ <sup>F86</sup> Rhynocostegium rotundifolium]
[ <sup>F86</sup> Moss, Schleicher's Thread]	[ <sup>F86</sup> Bryum schleicheri]
[ <sup>F86</sup> Moss, Triangular Pygmy]	{ <sup>F86</sup>
	Acaulon triquetrum
[ <sup>F86</sup> Moss, Vaucher's Feather]	[ <sup>F86</sup> Hypnum vaucheri]
[ <sup>F86</sup> Mudwort, Welsh]	[ <sup>F86</sup> Limosella australis]
[ <sup>F84</sup> Naiad, Holly-leaved]	[ <sup>F84</sup> Najas marina]
[ <sup>F87</sup> [ <sup>F86</sup> Naiad, Slender]] <sup>F95</sup> (in respect of section 13(2) only)]	[ <sup>F87</sup> [ <sup>F86</sup> Najas flexilis]]

---

**Changes to legislation:** *Wildlife and Countryside Act 1981 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

---

[ <sup>F86</sup> Orache, Stalked]	[ <sup>F86</sup> Halimione pedunculata]
Orchid, Early Spider	Ophryas sphegodes
[ <sup>F87</sup> Orchid, Fen [ <sup>F96</sup> (in respect of section 13(2) only)]]	[ <sup>F87</sup> Liparis loeselii]
Orchid, Ghost	Epipogium aphyllum
[ <sup>F86</sup> Orchid, Lapland Marsh]	[ <sup>F86</sup> Dactylorhiza lapponica]
Orchid, Late Spider	Ophrys fuciflora
Orchid, Lizard	Himantoglossum hircinum
Orchid, Military	Orchis militaris
Orchid, Monkey	Orchis simia
[ <sup>F86</sup> Pannaria, Caledonia]	[ <sup>F86</sup> Pannaria ignobilis]
[ <sup>F86</sup> Parmelia, New Forest]	[ <sup>F86</sup> Parmelia minarum]
[ <sup>F86</sup> Parmentaria, Oil Stain]	[ <sup>F86</sup> Parmentaria chilensis]
Pear, Plymouth	Pyrus cordata
[ <sup>F86</sup> Penny-cress, Perfoliate]	[ <sup>F86</sup> Thlaspi perfoliatum]
[ <sup>F84</sup> Pennyroyal]	[ <sup>F84</sup> Mentha pulegium]
[ <sup>F86</sup> Pertusaria, Alpine Moss]	[ <sup>F86</sup> Pertusaria bryontha]
[ <sup>F86</sup> Physcia, Southern Grey]	[ <sup>F86</sup> Physcia tribacioides]
[ <sup>F84</sup> Pigmyweed]	[ <sup>F84</sup> Crassula aquatica]
[ <sup>F86</sup> Pine, Ground]	[ <sup>F86</sup> Ajuga chamaepitys]
Pink, Cheddar	Dianthus gratianopolitanus
Pink, Childling	Petroraghia nanteuili
[ <sup>F87</sup> [ <sup>F86</sup> Plantain, Floating Water][ <sup>F97</sup> (in respect of section 13(2) only)]]	[ <sup>F87</sup> [ <sup>F86</sup> Luronium natans]]
[ <sup>F85</sup> Polypore, Oak]	[ <sup>F85</sup> Buglossoporus pulvinus]
[ <sup>F86</sup> Pseudocyphellaria, Ragged]	[ <sup>F86</sup> Pseudocyphellaria lacerata]
[ <sup>F86</sup> Psora, Rusty Alpine]	[ <sup>F86</sup> Psora rubiformis]
[ <sup>F85</sup> Puffball, Sandy Stilt]	[ <sup>F85</sup> Battarraea phalloides]
[ <sup>F84</sup> Ragwort, Fen]	[ <sup>F84</sup> Senecio paludosus]
[ <sup>F84</sup> Ramping-fumitory, Martin's]	[ <sup>F84</sup> Fumaria martinii]
[ <sup>F86</sup> Rampion, Spiked]	[ <sup>F86</sup> Phyteuma spicatum]
[ <sup>F84</sup> Restharrow, Small]	[ <sup>F84</sup> Ononis reclinata]
[ <sup>F84</sup> Rock-cress, Alpine]	[ <sup>F84</sup> Arabis alpina]

---

*Changes to legislation: Wildlife and Countryside Act 1981 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

---

[ <sup>F84</sup> Rock-cress, Bristol]	[ <sup>F84</sup> Arabis stricta]
[ <sup>F98</sup> Rock Nail]	[ <sup>F98</sup> Calicium corynellum]
[ <sup>F86</sup> Rustworth, Western]	[ <sup>F86</sup> Marsupella profunda]
Sandwort, Norwegian	Arenaria norvegica
Sandwort, Teesdale	Minuartia stricta
Saxifrage, Drooping	Saxifraga cernua
[ <sup>F87</sup> [ <sup>F86</sup> Saxifrage, Marsh][ <sup>F99</sup> (in respect of section 13(2) only)]]	[ <sup>F87</sup> [ <sup>F86</sup> Saxifraga hirus]]
Saxifrage, Tufted	Saxifraga cespitosa
[ <sup>F86</sup> Solenopsisora, Serpentine]	[ <sup>F86</sup> Solenopsisora liparina]
Solomon's-seal, Whorled	Polygonatum verticillatum
Sow-thistle, Alpine	Cicerbita alpina
Spearwort, Adder's-tongue	Ranunculus ophioglossifolius
[ <sup>F84</sup> Speedwell, Fingered]	[ <sup>F84</sup> Veronica triphyllos]
Speedwell, Spiked	Veronica spicata
<sup>F93</sup>	<sup>F93</sup>
...	...
[ <sup>F85</sup> Spike-rush, Dwarf]	[ <sup>F85</sup> Eleocharis parvula]
[ <sup>F85</sup> Stack Fleawort, South]	[ <sup>F85</sup> Tephrosieris integrifolia (ssp maritima)]
[ <sup>F84</sup> Star-of-Bethlehem, Early]	[ <sup>F84</sup> Gagea bohemica]
Starfruit	Damasonium alisma
[ <sup>F86</sup> Stonewort, Bearded]	[ <sup>F86</sup> Chara canescens]
[ <sup>F84</sup> Stonewort, Foxtail]	[ <sup>F84</sup> Lamprothamnium papulosum]
[ <sup>F84</sup> Strapwort]	[ <sup>F84</sup> Corrigiola litoralis]
[ <sup>F85</sup> Sulphur-tresses, Alpine]	[ <sup>F85</sup> Alectoria ochroleuca]
[ <sup>F91</sup> [ <sup>F85</sup> Threadmoss, Long-leaved]]	[ <sup>F91</sup> [ <sup>F85</sup> Bryum neodamense]]
[ <sup>F98</sup> Tree Lungwort (in respect of section 13(2) only)]	[ <sup>F98</sup> Lobaria pulmonaria]
[ <sup>F86</sup> Turpswort]	[ <sup>F86</sup> Geocalyx graveolens]
Violet, Fen	Viola persicifolia
[ <sup>F84</sup> Viper's-grass]	[ <sup>F84</sup> Scorzonera humilis]
Water-plantain, Ribbon leaved	Alisma gramineum
Wood-sedge, Starved	Carex depauperata
Woodsia, Alpine	Woodsia alpina

**Changes to legislation:** *Wildlife and Countryside Act 1981 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

Woodsia, Oblong	Woodsia ilvensis
Wormwood, Field	Artemisia campestris
Woundwort, Downy	Stachys germanica
Woundwort, Limestone	Stachys alpina
Yellow-rattle, Greater	Rhinanthus serotinus

#### Textual Amendments

- F84** Entry in Sch. 8 added by [S.I. 1988/288, art. 3](#)
- F85** Entries in Sch. 8 added (16.4.1998) by [S.I. 1998/878, art. 3](#)
- F86** Entries in Sch. 8 added (29.10.1992) by [S.I. 1992/2350, art. 3\(1\)](#)
- F87** Sch. 8: entries removed (S.) (15.2.2007) by [The Conservation \(Natural Habitats, &c.\) Amendment \(Scotland\) Regulations 2007 \(S.S.I. 2007/80\), reg. 29](#)
- F88** Sch. 8: words in entry inserted (E.W.) (21.8.2007) by [The Conservation \(Natural Habitats, &c.\) \(Amendment\) Regulations 2007 \(S.I. 2007/1843\), reg. 7\(8\)\(a\)](#)
- F89** Sch. 8: words in entry inserted (E.W.) (21.8.2007) by [The Conservation \(Natural Habitats, &c.\) \(Amendment\) Regulations 2007 \(S.I. 2007/1843\), reg. 7\(8\)\(b\)](#)
- F90** Sch. 8: words in entry inserted (E.W.) (21.8.2007) by [The Conservation \(Natural Habitats, &c.\) \(Amendment\) Regulations 2007 \(S.I. 2007/1843\), reg. 7\(8\)\(c\)](#)
- F91** Entries in Sch. 8 omitted (E.W.) (1.10.2011) by virtue of [The Wildlife and Countryside Act 1981 \(Variation of Schedules 5 and 8\) \(England and Wales\) Order 2011 \(S.I. 2011/2015\), arts. 1\(b\), 3\(3\), Sch. 4](#)
- F92** Sch. 8: words in entry inserted (E.W.) (21.8.2007) by [The Conservation \(Natural Habitats, &c.\) \(Amendment\) Regulations 2007 \(S.I. 2007/1843\), reg. 7\(8\)\(d\)](#)
- F93** Entries in Sch. 8 removed (29.10.1992) by [S.I. 1992/2350, art. 3\(2\)](#)
- F94** Sch. 8: words in entry inserted (E.W.) (21.8.2007) by [The Conservation \(Natural Habitats, &c.\) \(Amendment\) Regulations 2007 \(S.I. 2007/1843\), reg. 7\(8\)\(e\)](#)
- F95** Sch. 8: words in entry inserted (E.W.) (21.8.2007) by [The Conservation \(Natural Habitats, &c.\) \(Amendment\) Regulations 2007 \(S.I. 2007/1843\), reg. 7\(8\)\(f\)](#)
- F96** Sch. 8: words in entry inserted (E.W.) (21.8.2007) by [The Conservation \(Natural Habitats, &c.\) \(Amendment\) Regulations 2007 \(S.I. 2007/1843\), reg. 7\(8\)\(g\)](#)
- F97** Sch. 8: words in entry inserted (E.W.) (21.8.2007) by [The Conservation \(Natural Habitats, &c.\) \(Amendment\) Regulations 2007 \(S.I. 2007/1843\), reg. 7\(8\)\(h\)](#)
- F98** Entries in Sch. 8 inserted (E.W.) (1.10.2011) by [The Wildlife and Countryside Act 1981 \(Variation of Schedules 5 and 8\) \(England and Wales\) Order 2011 \(S.I. 2011/2015\), arts. 1\(b\), 3\(2\), Sch. 3](#)
- F99** Sch. 8: words in entry inserted (E.W.) (21.8.2007) by [The Conservation \(Natural Habitats, &c.\) \(Amendment\) Regulations 2007 \(S.I. 2007/1843\), reg. 7\(8\)\(i\)](#)

Note. The common name or names given in the first column of this Schedule are included by way of guidance only; in the event of any dispute or proceedings, the common name or names shall not be taken into account.

**Changes to legislation:** Wildlife and Countryside Act 1981 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

## [F100] SCHEDULE 9

Sections 14 and 22.

## ANIMALS AND PLANTS TO WHICH SECTION 14 APPLIES

**Textual Amendments**

**F100** Sch. 9 repealed (S.) (2.7.2012) by Wildlife and Natural Environment (Scotland) Act 2011 (asp 6), ss. 17(8), 43(1) (with s. 41(1)); S.S.I. 2012/175, art. 2(1)(c)

**PART I**

## [F101] NON-NATIVE] ANIMALS WHICH ARE ESTABLISHED IN THE WILD

**Textual Amendments**

**F101** Words in Sch. 9 Pt. I heading inserted (E.W.) (5.3.2015 for E.) by Infrastructure Act 2015 (c. 7), ss. 24(2), 57(4); S.I. 2015/481, reg. 2(b)

<i>Common name</i>	<i>Scientific name</i>
Bass, Large-mouthed Black	<i>Micropterus salmoides</i>
Bass, Rock	<i>Ambloplites rupestris</i>
Bitterling	<i>Rhodeus sericeus</i>
[F102][F103]Boar, Wild]]	[F102][F103] <i>Sus scrofa</i> ]]
F104	F104
...	...
[F103]Capercaillie]	[F103] <i>Tetrao urogallus</i> ]
[F102][F103]Chough]]	[F102][F103] <i>Pyrrhocorax pyrrhocorax</i> ]]
[F102][F103]Corncrake]]	[F102][F103] <i>Crex crex</i> ]]
F104	F104
...	...
[F105][F102]Crab, Chinese Mitten]]	[F105][F102] <i>Eriocheir sinensis</i> ]]
[F106]Crayfish, Noble]	[F106] <i>Astacus astacus</i> ]
[F102][F103]Crane, Common]]	[F102][F103] <i>Grus grus</i> ]]
[F105][F102]Crayfish, Red Swamp]]	[F105][F102] <i>Procambarus clarkii</i> ]]
[F105][F106]Crayfish, Signal]]	[F105][F106] <i>Pacifastacus leniusculus</i> ]]
[F105][F102]Crayfish, Spiny-cheek]]	[F105][F102] <i>Orconectes limosus</i> ]]
[F106]Crayfish, Turkish]	[F106] <i>Astacus leptodactylus</i> ]
[F102]Deer, Chinese Water]	[F102] <i>Hydropotes inermis</i> ]

---

**Changes to legislation:** *Wildlife and Countryside Act 1981 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

---

[ <sup>F105</sup> [ <sup>F107</sup> Deer, Muntjac]]	[ <sup>F105</sup> [ <sup>F107</sup> Muntiacus reevesi]]
[ <sup>F106</sup> Deer, Sika]	[ <sup>F106</sup> Cervus nippon]
[ <sup>F108</sup> Deer, any hybrid one of whose parents or other lineal ancestor was a Sika Deer]	[ <sup>F108</sup> Any hybrid of Cervus nippon]
F104	F104
...	...
F104	F104
...	...
Dormouse, Fat	Glis glis
Duck, Carolina Wood	Aix sponsa
Duck, Mandarin	Aix galericulata
[ <sup>F105</sup> Duck, Ruddy]	[ <sup>F105</sup> Oxyura jamaicensis]
[ <sup>F103</sup> Eagle, White-tailed]	[ <sup>F103</sup> Haliaeetus albicilla]
[ <sup>F102</sup> Flatworm]	[ <sup>F102</sup> Kontikia andersoni]
[ <sup>F102</sup> Flatworm]	[ <sup>F102</sup> Kontikia ventrolineata]
[ <sup>F102</sup> Flatworm, Australian]	[ <sup>F102</sup> Australoplana sanguinea]
[ <sup>F109</sup> [ <sup>F106</sup> Flatworm, New Zealand]]	[ <sup>F109</sup> [ <sup>F106</sup> Artiposthia triangulata]]
Frog, Edible	Rana esculenta
Frog, European Tree (otherwise known as Common tree frog)	Hyla arborea
Frog, Marsh	Rana ridibunda
F104	F104
...	...
[ <sup>F102</sup> Goose, Bar-headed]	[ <sup>F102</sup> Anser indicus]
[ <sup>F102</sup> Goose, Barnacle]	[ <sup>F102</sup> Branta leucopsis]
Goose, Canada	Branta canadensis
[ <sup>F105</sup> Goose, Egyptian]	[ <sup>F105</sup> Alopochen aegyptiacus]
[ <sup>F102</sup> Goose, Emperor]	[ <sup>F102</sup> Anser canagicus]
[ <sup>F102</sup> Goose, Snow]	[ <sup>F102</sup> Anser caerulescens]
[ <sup>F102</sup> [ <sup>F103</sup> Goshawk]]	[ <sup>F102</sup> [ <sup>F103</sup> Accipiter gentilis]]
Heron, Night	Nycticorax nycticorax
[ <sup>F102</sup> [ <sup>F103</sup> Kite, Red]]	[ <sup>F102</sup> [ <sup>F103</sup> Milvus milvus]]
[ <sup>F102</sup> Limpet, Slipper]	[ <sup>F102</sup> Crepidula fornicata]
Lizard, Common Wall	Podarcis muralis

---

*Changes to legislation: Wildlife and Countryside Act 1981 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

---

Marmot, Prairie (otherwise known as Prairie dog)	Cynomys
Mink, American	Mustela vison
Newt, Alpine	Triturus alpestris
[ <sup>F106</sup> Newt, Italian Crested]	[ <sup>F106</sup> Triturus carnifex]
[ <sup>F110</sup> [ <sup>F103</sup> Owl, Barn]]	[ <sup>F110</sup> [ <sup>F103</sup> Tyto alba]]
[ <sup>F102</sup> Owl, Eagle]	[ <sup>F102</sup> Bubo bubo]
[ <sup>F102</sup> Oyster Drill, American]	[ <sup>F102</sup> Urosalpinx cinerea]
[ <sup>F102</sup> Parakeet, Monk]	[ <sup>F102</sup> Myiopsitta monachus]
Parakeet, Ring-necked	Psittacula krameri
Partridge, Chukar	Alectoris chukar
Partridge, Rock	Alectoris graeca
Pheasant, Golden	Chrysolophus pictus
Pheasant, Lady Amherst's	Chrysolophus amherstiae
Pheasant, Reeves'	Syrmaticus reevesii
Pheasant, Silver	Lophura nycthemera
[ <sup>F102</sup> Pochard, Red-crested]	[ <sup>F102</sup> Netta rufina]
F104	F104
...	...
F104	F104
...	...
[ <sup>F109</sup> Pumpkinseed (otherwise known as Sunfish or Pond-perch)]	[ <sup>F109</sup> Lepomis gibbosus]
F104	F104
...	...
Rat, Black	Rattus rattus
[ <sup>F102</sup> Shelduck, Ruddy]	[ <sup>F102</sup> Tadorna ferruginea]
[ <sup>F106</sup> Snake, Aesculapian]	[ <sup>F106</sup> Elaphe longissima]
[ <sup>F105</sup> Squirrel, Grey]	[ <sup>F105</sup> Sciurus carolinensis]
[ <sup>F102</sup> Swan, Black]	[ <sup>F102</sup> Cygnus atratus.]
Terrapin, European Pond	Emys orbicularis
Toad, African Clawed	Xenopus laevis
Toad, Midwife	Alytes obstetricans
Toad, Yellow-bellied	Bombina variegata
Wallaby, Red-necked	Macropus rufogriseus



**Changes to legislation:** *Wildlife and Countryside Act 1981 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

Wels (otherwise known as European catfish)	<i>Silurus glanis</i>
Zander	<i>Stizostedion lucioperca</i>

[<sup>F111</sup>With respect to any area in England which on 31st May 2021—

(a) is a European site within the meaning of regulation 8 of the Conservation of Habitats and Species Regulations 2017, or

(b) is within 500 metres of the boundary of a site described in paragraph (a)—]

(i) [<sup>F111</sup>Partridge, Red-legged

(i) *Alectoris rufa*]

(ii) [<sup>F111</sup>Pheasant, Common

(ii) *Phasianus colchicus*]

#### Textual Amendments

**F102** Entries in Sch. 9 Pt. 1 added (E.W.) (6.4.2010) by [The Wildlife and Countryside Act 1981 \(Variation of Schedule 9\) \(England and Wales\) Order 2010 \(S.I. 2010/609\)](#), **art. 2(2)**

**F103** Entries in Sch. 9 Pt. 1 omitted (E.W.) (5.3.2015 for E.) by virtue of [Infrastructure Act 2015 \(c. 7\)](#), **ss. 24(3), 57(4)**; S.I. 2015/481, reg. 2(b)

**F104** Entries in Sch. 9 Pt. 1 removed (E.W.) (6.4.2010) by virtue of [The Wildlife and Countryside Act 1981 \(Variation of Schedule 9\) \(England and Wales\) Order 2010 \(S.I. 2010/609\)](#), **art. 2(3)**

**F105** Words in Sch. 9 Pt. 1 omitted (E.W.) (1.12.2019) by virtue of [The Invasive Alien Species \(Enforcement and Permitting\) Order 2019 \(S.I. 2019/527\)](#), art. 1(1), **Sch. 4 para. 1(3)(a)** (with art. 1(2)(4)) (as amended by S.I. 2019/1213, regs. 1, 2(2))

**F106** Entries in Sch. 9 Pt. 1 added (17.3.1992) by S.I. 1992/320, **art. 2**.

**F107** Entry in Sch. 9 Pt. 1 added (5.3.1997) by S.I. 1997/226, **art. 2**

**F108** Entries in Sch. 9 Pt. 1 added (28.4.1999) by S.I. 1999/1002, **art. 2**

**F109** Words in Sch. 9 Pt. 1 omitted (E.) (4.5.2021) by virtue of [The Wildlife and Countryside Act 1981 \(Variation of Schedule 9\) \(England\) Order 2021 \(S.I. 2021/236\)](#), arts. 1(b), **2(2)**

**F110** Entry in Sch. 9 Pt. 1 added (25.11.1992) by S.I. 1992/2674, **art. 2**.

**F111** Words in Sch. 9 Pt. 1 inserted (31.5.2021) by [The Wildlife and Countryside Act 1981 \(Variation of Schedule 9\) \(England\) \(No. 2\) Order 2021 \(S.I. 2021/548\)](#), arts. 1(1), **2(2)** (with art. 4)

## [<sup>F112</sup>PART IA

### NATIVE ANIMALS

#### Textual Amendments

**F112** Sch. 9 Pt. 1A inserted (E.W.) (5.3.2015 for E.) by [Infrastructure Act 2015 \(c. 7\)](#), **ss. 24(4), 57(4)**; S.I. 2015/481, reg. 2(b)

#### *Common name*

#### *Scientific name*

[<sup>F113</sup>Beaver, Eurasian

*Castor fiber*]

NOTE. The common name or names given in the first column of this Schedule are included by way of guidance only; in the event of any dispute or proceedings, the common name or names shall not be taken into account.]

**Changes to legislation:** *Wildlife and Countryside Act 1981 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

Capercaillie	Tetrao urogallus
Chough	Pyrrhocorax pyrrhocorax
Corncrake	Crex crex
Crane, Common	Grus grus
Eagle, White-tailed	Haliaeetus albicilla
Goshawk	Accipiter gentilis
Kite, Red	Milvus milvus
Owl, Barn	Tyto alba.

NOTE. The common name or names given in the first column of this Schedule are included by way of guidance only; in the event of any dispute or proceedings, the common name or names shall not be taken into account.]

#### Textual Amendments

**F113** Sch. 9 Pt. 1A entry inserted (1.10.2022) by [The Beavers \(England\) Order 2022 \(S.I. 2022/858\)](#), arts. 1(1), 3(2)

### [<sup>F114</sup>PART IB

#### ANIMALS NO LONGER NORMALLY PRESENT

#### Textual Amendments

**F114** Sch. 9 Pt. 1B inserted (E.W.) (5.3.2015 for E.) by [Infrastructure Act 2015 \(c. 7\)](#), ss. 24(5), 57(4); S.I. 2015/481, reg. 2(b)

<i>Common name</i>	<i>Scientific name</i>
F115	F115
. . .	. . .
Boar, Wild	Sus Scrofa.

NOTE. The common name or names given in the first column of this Schedule are included by way of guidance only; in the event of any dispute or proceedings, the common name or names shall not be taken into account.]

#### Textual Amendments

**F115** Words in Sch. 9 Pt. 1B omitted (1.10.2022) by virtue of [The Beavers \(England\) Order 2022 \(S.I. 2022/858\)](#), arts. 1(1), 3(3)

**Changes to legislation:** *Wildlife and Countryside Act 1981 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

## PART II

### PLANTS

<i>Common name</i>	<i>Scientific name</i>
[ <sup>F116</sup> Alexanders, Perfoliate]	[ <sup>F116</sup> <i>Smyrnum perfoliatum</i> ]
[ <sup>F116</sup> Algae, Red]	[ <sup>F116</sup> <i>Grateloupia luxurians</i> ]
[ <sup>F116</sup> Archangel, Variegated Yellow]	[ <sup>F116</sup> <i>Lamiastrum galeobdolon</i> subsp. <i>argentatum</i> ]
[ <sup>F116</sup> Azalea, Yellow]	[ <sup>F116</sup> <i>Rhododendron luteum</i> ]
[ <sup>F117</sup> [ <sup>F116</sup> Balsam, Himalayan]]	[ <sup>F117</sup> [ <sup>F116</sup> <i>Impatiens glandulifera</i> ]]
[ <sup>F116</sup> Cotoneaster]	[ <sup>F116</sup> <i>Cotoneaster horizontalis</i> ]
[ <sup>F116</sup> Cotoneaster, Entire-leaved]	[ <sup>F116</sup> <i>Cotoneaster integrifolius</i> ]
[ <sup>F116</sup> Cotoneaster, Himalayan]	[ <sup>F116</sup> <i>Cotoneaster simonsii</i> ]
[ <sup>F116</sup> Cotoneaster, Hollyberry]	[ <sup>F116</sup> <i>Cotoneaster bullatus</i> ]
[ <sup>F116</sup> Cotoneaster, Small-leaved]	[ <sup>F116</sup> <i>Cotoneaster microphyllus</i> ]
[ <sup>F116</sup> Creeper, False Virginia]	[ <sup>F116</sup> <i>Parthenocissus inserta</i> ]
[ <sup>F116</sup> Creeper, Virginia]	[ <sup>F116</sup> <i>Parthenocissus quinquefolia</i> ]
[ <sup>F116</sup> Dewplant, Purple]	[ <sup>F116</sup> <i>Disphyma crassifolium</i> ]
[ <sup>F117</sup> [ <sup>F116</sup> Fanwort]]	[ <sup>F117</sup> [ <sup>F116</sup> <i>Cabomba caroliniana</i> ]]
[ <sup>F116</sup> Fern, Water]	[ <sup>F116</sup> <i>Azolla filiculoides</i> ]
[ <sup>F116</sup> Fig, Hottentot]	[ <sup>F116</sup> <i>Carpobrotus edulis</i> ]
[ <sup>F116</sup> Garlic, Three-cornered]	[ <sup>F116</sup> <i>Allium triquetrum</i> ]
[ <sup>F117</sup> Hogweed, Giant]	[ <sup>F117</sup> <i>Heracleum mantegazzianum</i> ]
[ <sup>F117</sup> [ <sup>F116</sup> Hyacinth, water]]	[ <sup>F117</sup> [ <sup>F116</sup> <i>Eichhornia crassipes</i> ]]
[ <sup>F118</sup> Kelp, Giant]	[ <sup>F118</sup> <i>Macrocystis angustifolia</i> ]
[ <sup>F118</sup> Kelp, Giant]	[ <sup>F118</sup> <i>Macrocystis integrifolia</i> ]
[ <sup>F118</sup> Kelp, Giant]	[ <sup>F118</sup> <i>Macrocystis laevis</i> ]
Kelp, Giant	<i>Macrocystis pyrifera</i>
[ <sup>F118</sup> Kelp, Japanese]	[ <sup>F118</sup> <i>Laminaria japonica</i> ]
[ <sup>F116</sup> Knotweed, Giant]	[ <sup>F116</sup> <i>Fallopia sachalinensis</i> ]
[ <sup>F116</sup> Knotweed, Hybrid]	[ <sup>F116</sup> <i>Fallopia japonica</i> x <i>Fallopia sachalinensis</i> ]
[ <sup>F116</sup> Knotweed, Japanese]	[ <sup>F116</sup> <i>Fallopia japonica</i> ]
[ <sup>F119</sup> Knotweed, Japanese]	[ <sup>F119</sup> <i>Polygonum cuspidatum</i> ]

---

*Changes to legislation: Wildlife and Countryside Act 1981 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

---

[ <sup>F116</sup> Leek, Few-flowered]	[ <sup>F116</sup> <i>Allium paradoxum</i> ]
[ <sup>F116</sup> Lettuce, water]	[ <sup>F116</sup> <i>Pistia stratiotes</i> ]
[ <sup>F116</sup> Montbretia]	[ <sup>F116</sup> <i>Crocoshia x crocosmiiflora</i> ]
[ <sup>F117</sup> [ <sup>F116</sup> Parrot's-feather]]	[ <sup>F117</sup> [ <sup>F116</sup> <i>Myriophyllum aquaticum</i> ]]
[ <sup>F117</sup> [ <sup>F116</sup> Pennywort, Floating]]	[ <sup>F117</sup> [ <sup>F116</sup> <i>Hydrocotyle ranunculoides</i> ]]
[ <sup>F116</sup> Potato, Duck]	[ <sup>F116</sup> <i>Sagittaria latifolia</i> ]
[ <sup>F117</sup> [ <sup>F116</sup> Primrose, Floating Water]]	[ <sup>F117</sup> [ <sup>F116</sup> <i>Ludwigia peploides</i> ]]
[ <sup>F117</sup> [ <sup>F116</sup> Primrose, Water]]	[ <sup>F117</sup> [ <sup>F116</sup> <i>Ludwigia grandiflora</i> ]]
[ <sup>F116</sup> Primrose, Water]	[ <sup>F116</sup> <i>Ludwigia uruguayensis</i> ]
[ <sup>F116</sup> Rhododendron]	[ <sup>F116</sup> <i>Rhododendron ponticum</i> ]
[ <sup>F116</sup> Rhododendron]	[ <sup>F116</sup> <i>Rhododendron ponticum x Rhododendron maximum</i> ]
[ <sup>F117</sup> [ <sup>F116</sup> Rhubarb, Giant]]	[ <sup>F117</sup> [ <sup>F116</sup> <i>Gunnera tinctoria</i> ]]
[ <sup>F116</sup> Rose, Japanese]	[ <sup>F116</sup> <i>Rosa rugosa</i> ]
[ <sup>F120</sup> [ <sup>F116</sup> Salvinia, Giant]]	[ <sup>F120</sup> [ <sup>F116</sup> <i>Salvinia molesta</i> ]]
[ <sup>F116</sup> Seafingers, Green]	[ <sup>F116</sup> <i>Codium fragile</i> ]
[ <sup>F119</sup> Seafingers, Green]	[ <sup>F119</sup> <i>Codium fragile tomentosoides</i> ]
[ <sup>F118</sup> Seaweed, Californian Red]	[ <sup>F118</sup> <i>Pikea californica</i> ]
[ <sup>F118</sup> Seaweed, Hooked Asparagus]	[ <sup>F118</sup> <i>Asparagopsis armata</i> ]
Seaweed, Japanese	<i>Sargassum muticum</i>
[ <sup>F118</sup> Seaweeds, Laver (except native species)]	[ <sup>F118</sup> <i>Porphyra</i> spp except -]
	[ <sup>F118</sup> p. amethystea]
	[ <sup>F118</sup> p. leucosticta]
	[ <sup>F118</sup> p. linearis]
	[ <sup>F118</sup> p. miniata]
	[ <sup>F118</sup> p. purpurea]
	[ <sup>F118</sup> p. umbilicalis]
[ <sup>F116</sup> Stonecrop, Australian Swamp (otherwise known as New Zealand Pygmyweed)]	[ <sup>F116</sup> <i>Crassula helmsii</i> ]
[ <sup>F118</sup> Wakame]	[ <sup>F118</sup> <i>Undaria pinnatifida</i> ]
[ <sup>F117</sup> [ <sup>F116</sup> Waterweed, Curly]]	[ <sup>F117</sup> [ <sup>F116</sup> <i>Lagarosiphon major</i> ]]

**Changes to legislation:** *Wildlife and Countryside Act 1981 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

[<sup>F121</sup>[<sup>F116</sup>Waterweeds]] [<sup>F121</sup>Waterweeds  
(except Nuttall’s Waterweed)]

[<sup>F121</sup>[<sup>F116</sup>All species of the genus  
Elodea.]] [<sup>F121</sup>All species of the genus Elodea,  
except Elodea nuttallii]

#### Textual Amendments

- F116** Entries in Sch. 9 Pt. II added (E.W.) (6.4.2010) by [The Wildlife and Countryside Act 1981 \(Variation of Schedule 9\) \(England and Wales\) Order 2010 \(S.I. 2010/609\)](#), [art. 2\(4\)](#)
- F117** Words in Sch. 9 Pt. 2 omitted (E.W.) (1.12.2019) by virtue of [The Invasive Alien Species \(Enforcement and Permitting\) Order 2019 \(S.I. 2019/527\)](#), [art. 1\(1\)](#), [Sch. 4 para. 1\(3\)\(b\)\(i\)](#) (with [art. 1\(2\)\(4\)](#)) (as amended by [S.I. 2019/1213](#), [regs. 1, 2\(2\)](#))
- F118** Words in Sch. 9 Pt. II added (17.3.1992) by [S.I. 1992/320](#), [art. 3](#)
- F119** Entries in Sch. 9 Pt. II removed (E.W.) (6.4.2010) by virtue of [The Wildlife and Countryside Act 1981 \(Variation of Schedule 9\) \(England and Wales\) Order 2010 \(S.I. 2010/609\)](#), [art. 2\(5\)](#)
- F120** Words in [Sch. 9 Pt. II](#) omitted (E.) (4.5.2021) by virtue of [The Wildlife and Countryside Act 1981 \(Variation of Schedule 9\) \(England\) Order 2021 \(S.I. 2021/236\)](#), [arts. 1\(b\)](#), [2\(3\)](#)
- F121** Words in Sch. 9 Pt. 2 substituted (E.W.) (1.12.2019) by [The Invasive Alien Species \(Enforcement and Permitting\) Order 2019 \(S.I. 2019/527\)](#), [art. 1\(1\)](#), [Sch. 4 para. 1\(3\)\(b\)\(ii\)](#) (with [art. 1\(2\)\(4\)](#)) (as amended by [S.I. 2019/1213](#), [regs. 1, 2\(2\)](#))

Note. The common name or names given in the first column of this Schedule are included by way of guidance only; in the event of any dispute or proceedings, the common name or names shall not be taken into account.]]

## [<sup>F122</sup>SCHEDULE 9A

Section 14(4A)

### SPECIES CONTROL AGREEMENTS AND ORDERS (ENGLAND AND WALES)

#### Textual Amendments

- F122** Sch. 9A inserted (E.W.) (12.4.2015) by [Infrastructure Act 2015 \(c. 7\)](#), [ss. 23\(3\)](#), [57\(4\)](#); [S.I. 2015/481](#), [reg. 3\(a\)](#); [S.I. 2015/990](#), [reg. 2](#)

## PART 1

### OVERVIEW AND INTERPRETATION

#### Overview

- 1 (1) This Schedule provides for—
  - (a) species control agreements between environmental authorities and owners of premises, and
  - (b) species control orders made by environmental authorities, and for related matters.
- (2) A species control agreement or species control order may relate to—

*Changes to legislation: Wildlife and Countryside Act 1981 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

- [<sup>F123</sup>(a) a species of animal or plant included on the [<sup>F124</sup>list of species of special concern],
- (b) an invasive non-native species of animal or plant not falling within subparagraph (a), or
- (c) a species of animal that is no longer normally present in Great Britain.]

This is subject to the other provisions of this Schedule.

- (3) The following definitions apply for the purposes of this Schedule.

#### Textual Amendments

**F123** Sch. 9A para. 1(2)(a)-(c) substituted for Sch. 9A para. 1(2)(a)(b) (1.12.2019) by [The Invasive Alien Species \(Enforcement and Permitting\) Order 2019 \(S.I. 2019/527\)](#), art. 1(1), **Sch. 4 para. 1(4)(a)** (with art. 1(2)(4)) (as amended by [S.I. 2019/1213](#), regs. 1, 2(2))

**F124** Words in Sch. 9A para. 1(2)(a) substituted (31.12.2020) by [The Animal Health, Invasive Alien Species, Plant Breeders' Rights and Seeds \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1220\)](#), regs. 1(2)(c), **6(3)(a)**; 2020 c. 1, Sch. 5 para. 1(1)

#### *Definitions relating to species*

- 2 (1) “Species” means any kind of animal or plant.
- (2) A species is “invasive” if, uncontrolled, it would be likely to have a significant adverse impact on—
- (a) biodiversity,
  - (b) other environmental interests, or
  - (c) social or economic interests.
- (3) A species is “non-native” if—
- (a) it is listed in Part 1 or 2 of Schedule 9, or
  - (b) in the case of a species of animal, it is a species—
    - (i) whose natural range does not include any part of Great Britain, and
    - (ii) which has been introduced into Great Britain or is present in Great Britain because of other human activity.
- (4) References to a species being “present” on premises include its being present at any stage in its life-cycle (for example, as eggs or seeds).
- (5) A species of animal is “no longer normally present in Great Britain” if—
- (a) it is a species listed in Part 1B of Schedule 9, or
  - (b) it is a species—
    - (i) whose natural range includes all or any part of Great Britain, and
    - (ii) which has ceased to be ordinarily resident in, or a regular visitor to, Great Britain in a wild state.

[ The “list of species of special concern” means the list of species in the Annex to <sup>F125</sup>[<sup>F126</sup>(6) Commission Implementing Regulation (EU) 2016/1141 adopting a list of invasive alien species of Union concern pursuant to Regulation (EU) No. 1143/2014 of the European Parliament and of the Council, as amended from time to time.]]

**Changes to legislation:** *Wildlife and Countryside Act 1981 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

### Textual Amendments

- F125** Sch. 9A para. 2(6) inserted (1.12.2019) by [The Invasive Alien Species \(Enforcement and Permitting\) Order 2019 \(S.I. 2019/527\)](#), art. 1(1), **Sch. 4 para. 1(4)(b)** (with art. 1(2)(4)) (as amended by S.I. 2019/1213, regs. 1, 2(2))
- F126** Sch. 9A para. 2(6) substituted (31.12.2020) by [The Animal Health, Invasive Alien Species, Plant Breeders' Rights and Seeds \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1220\)](#), regs. 1(2)(c), **6(3)(b)**; 2020 c. 1, Sch. 5 para. 1(1)

### *Environmental authorities*

- 3 (1) “Environmental authority”, in relation to premises in England, means—
- (a) the Secretary of State,
  - (b) the Environment Agency,
  - (c) Natural England, and
  - (d) the Forestry Commissioners.
- (2) “Environmental authority”, in relation to premises in Wales, means—
- (a) the Welsh Ministers, and
  - (b) the Natural Resources Body for Wales.

### *Owners and dwellings*

- 4 (1) “Owner”, in relation to premises consisting of land, means—
- (a) a person, other than a mortgagee not in possession, who is for the time being entitled to dispose of the fee simple of the land, whether in possession or reversion,
  - (b) a person in possession under a lease, or
  - (c) a person who for the time being exercises powers of management or control over the land.
- (2) “Dwelling” means a building or structure, or part of a building or structure, occupied wholly or mainly as a dwelling.

### *Operations*

- 5 (1) “Species control operations” are operations to do one or more of the following—
- (a) eradicate a species from premises;
  - (b) control a species on premises;
  - (c) prevent a species from returning to premises.
- (2) References to “carrying out” operations include arranging for operations to be carried out.

---

*Changes to legislation: Wildlife and Countryside Act 1981 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

---

## PART 2

### SPECIES CONTROL AGREEMENTS

#### *Making of species control agreements*

- 6 (1) An environmental authority may enter into a “species control agreement” with an owner of any premises where the authority considers that there is present on the premises—
- (a) an invasive non-native species, or
  - (b) a species of animal that is no longer normally present in Great Britain.
- (2) Under a species control agreement the parties agree to the carrying out of species control operations.
- (3) Before entering into a species control agreement with an owner, an environmental authority must be satisfied that—
- (a) the provisions of the agreement are proportionate to the objective to be achieved, and
  - (b) in a case where there is more than one owner, the owner with whom the agreement is entered into is the most appropriate one.
- (4) Before entering into a species control agreement relating to animals of a species that is no longer normally present in Great Britain, the environmental authority must also be satisfied that—
- (a) the animals are present on the premises otherwise than under and in accordance with the terms of a licence under section 16(4)(c),
  - (b) the animals on the premises are having a significant adverse impact on—
    - (i) biodiversity,
    - (ii) other environmental interests, or
    - (iii) social or economic interests, and
  - (c) there is no appropriate alternative way of obviating that impact.
- (5) A species control agreement may not be entered into in relation to premises consisting of a dwelling except where the environmental authority is the Secretary of State or the Welsh Ministers.

#### *Content of species control agreements*

- 7 (1) A species control agreement must provide for—
- (a) the species control operations to be carried out,
  - (b) the party who is to carry them out, and
  - (c) the time by which they are to be carried out.
- (2) A species control agreement may contain such supplementary provision as the parties consider appropriate.
- (3) That may include provision as to—
- (a) how species control operations are to be carried out,
  - (b) payment to be made by either party to the other, or to another person, in respect of the species control operations to be carried out, or
  - (c) any species control operations that must not be carried out.



---

**Changes to legislation:** *Wildlife and Countryside Act 1981 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

---

### *Notice of compliance*

- 8 Where an environmental authority considers that an owner of premises has complied with all the requirements in a species control agreement to carry out species control operations, the authority must give the owner notice to that effect.

### *Liability*

- 9 An environmental authority is not liable to a person with an interest in the premises, other than the owner with whom a species control agreement is entered into, for anything done by the authority pursuant to the agreement.

## **PART 3**

### **SPECIES CONTROL ORDERS**

#### *When a species control order may be made*

- 10 (1) An environmental authority may make a species control order in relation to premises if—
- (a) it considers that there is present on the premises—
    - (i) an invasive non-native species, or
    - (ii) a species of animal that is no longer normally present in Great Britain, and
  - (b) any of the following circumstances apply.
- (2) The circumstances are—
- (a) the environmental authority considers that an owner has failed to comply with a species control agreement entered into with the environmental authority and, having been given notice to that effect and a reasonable opportunity to rectify the failure, has not done so;
  - (b) the environmental authority has offered to enter into a species control agreement with an owner but—
    - (i) the owner has refused to enter into any kind of species control agreement, or
    - (ii) no species control agreement has been entered into in respect of the premises by the end of the period of 42 days beginning with the day after the offer was made and the authority considers it unlikely that the owner will enter any kind of such agreement;
  - (c) the environmental authority considers that the making of the order is urgently necessary;
  - (d) the environmental authority has been unable to identify an owner, having—
    - (i) placed on the premises a conspicuous notice of its desire to enter into a species control agreement, and
    - (ii) waited for 5 days after the day on which the notice was placed.
- (3) Before making a species control order, an environmental authority must be satisfied that the provisions of the order are proportionate to the objective to be achieved.

---

**Changes to legislation:** *Wildlife and Countryside Act 1981 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

---

- (4) Before making a species control order relating to animals of a species that is no longer normally present in Great Britain, the environmental authority must also be satisfied that—
- (a) the animals are present on the premises otherwise than under and in accordance with the terms of a licence under section 16(4)(c),
  - (b) the animals on the premises are having a significant adverse impact on—
    - (i) biodiversity,
    - (ii) other environmental interests, or
    - (iii) social or economic interests, and
  - (c) there is no appropriate alternative way of obviating that impact.
- (5) A species control order may not be made in relation to premises consisting of a dwelling except by the Secretary of State or the Welsh Ministers.

*What an order must do*

- 11 (1) A species control order under paragraph 10(2)(a) or (b) (failure to comply with or enter into agreement) must contain provision—
- (a) requiring the owner specified in that paragraph to carry out species control operations, or
  - (b) stating that the environmental authority proposes to carry out species control operations,
- or both.
- (2) A species control order under paragraph 10(2)(c) (emergency) must contain provision—
- (a) requiring any owner of the premises specified in the order to carry out species control operations, or
  - (b) stating that the environmental authority proposes to carry out species control operations,
- or both.
- (3) A species control order under paragraph 10(2)(d) (no identifiable owner) must contain provision stating that the environmental authority proposes to carry out species control operations.
- 12 (1) A species control order must—
- (a) specify the species to which the order relates,
  - (b) specify the species control operations to be carried out,
  - (c) specify the time by which the species control operations must be carried out or (as the case may be) the time by which they are proposed to be carried out by the authority, and
  - (d) if appropriate, include a map of the premises to which the order relates.
- (2) Unless it is made under paragraph 10(2)(c) (emergency), a species control order—
- (a) may not require an owner of premises to carry out species control operations, or provide for an environmental authority to carry out species control operations, before the end of the period in which an appeal may be made (as to appeals, see paragraph 16), and

---

**Changes to legislation:** *Wildlife and Countryside Act 1981 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

---

- (b) must provide that if an appeal is made within that period, the owner need not carry out the operations, or the environmental authority shall not carry out the operations, before the appeal is withdrawn or finally determined.

#### *What an order may do*

- 13 (1) A species control order may contain provision supplementary to that specified in paragraphs 11 and 12.
- (2) That may include provision as to—
  - (a) how species control operations are to be carried out;
  - (b) payment to be made by the environmental authority to—
    - (i) an owner, in respect of the reasonable costs of operations to be carried out by the owner, or
    - (ii) another person, in respect of the reasonable costs of operations to be carried out by an owner;
  - (c) payment that an owner must make in respect of the reasonable costs of species control operations to be carried out by the environmental authority;
  - (d) species control operations that an owner must not carry out;
  - (e) who will carry out species control operations for the environmental authority.

#### *Notice*

- 14 (1) After making a species control order, an environmental authority must forthwith give notice of it to—
  - (a) all owners of the premises of whom the environmental authority is aware,
  - (b) the Secretary of State, if the environmental authority is the Environment Agency, Natural England or the Forestry Commissioners, and
  - (c) the Welsh Ministers, if the environmental authority is the Natural Resources Body for Wales.
- (2) In the case of an order under paragraph 10(2)(d) (no identifiable owner), the environmental authority must also give notice of the order by placing it on the premises conspicuously.
- (3) Notice under this paragraph must include—
  - (a) reasons for making the species control order, and
  - (b) reasons for any requirement imposed by it on an owner.

#### *Revocation*

- 15 (1) An environmental authority may at any time revoke a species control order made by it.
- (2) Notice of revocation must be given as specified in paragraph 14 (but reasons need not be given).

#### *Appeals*

- 16 (1) An owner of premises in relation to which a species control order is made may appeal to the First-tier Tribunal against—
  - (a) the making of the order, or

---

**Changes to legislation:** *Wildlife and Countryside Act 1981 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

---

- (b) any provision of the order.
- (2) The First-tier Tribunal may—
- (a) affirm the order,
  - (b) direct the environmental authority which made the order to revoke or amend it,
  - (c) in the case of an order under paragraph 10(2)(c) (emergency), suspend the order, or
  - (d) make such other order as the Tribunal thinks fit.

#### *Notice of compliance*

- 17 Where an environmental authority considers that an owner of premises has complied with all the requirements in a species control order to carry out species control operations, the authority must give the owner notice to that effect.

#### *Enforcement*

- 18 (1) This paragraph applies where an environmental authority considers that an owner of premises required by a species control order to carry out a species control operation has not done so by the date or in the way specified in the order.
- (2) The authority must give the owner notice to that effect.
- (3) Sub-paragraphs (4) to (6) apply if, after a week after giving notice under sub-paragraph (2), the authority considers that the owner has still not carried out the species control operation in the way specified in the order.
- (4) The authority may carry out the operation itself or carry out such further work as is necessary to ensure that the operation is carried out in the way specified in the order.
- (5) The authority may recover from the owner any expenses reasonably incurred by it in doing so (less any payment which the authority would apart from this paragraph have been required to make to the owner in respect of the carrying out of the operations by the owner).
- (6) The authority is not required to make any payment provided for under paragraph 13(2)(b) in relation to the operation (and may recover any payment made under that paragraph).

#### *Offences*

- 19 (1) A person who, without reasonable excuse, fails to comply with a requirement imposed on that person by a species control order commits an offence.
- (2) A person who intentionally obstructs a person from carrying out an operation required or proposed under a species control order commits an offence.
- (3) A person guilty of an offence under sub-paragraph (1) or (2) is liable on summary conviction to imprisonment for a term not exceeding 51 weeks, or a fine, or both.
- (4) In relation to an offence committed before section 281(5) of the Criminal Justice Act 2003 comes into force, the reference in sub-paragraph (3) to 51 weeks is to be read as a reference to 6 months.

---

**Changes to legislation:** *Wildlife and Countryside Act 1981 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

---

- (5) In relation to an offence committed before section 85 of the Legal Aid, Sentencing and Punishment of Offenders Act 2012 comes into force, the reference in sub-paragraph (3) to a fine is to be read as a reference to a fine not exceeding £40,000.

#### *Liability*

- 20 (1) An owner of premises is not liable to any other person for doing anything required to be done by a species control order.
- (2) An environmental authority is not liable to a person with an interest in premises for anything done—
- (a) by an owner pursuant to a requirement included in a species control order, or
  - (b) by the authority pursuant to—
    - (i) provision included in a species control order under paragraph 11(1)(b), (2)(b) or (3), or
    - (ii) paragraph 18(4).

### **PART 4**

#### POWERS OF ENTRY

##### *Powers of entry*

- 21 (1) A person who is authorised to do so may enter any premises to—
- (a) assist an environmental authority to determine whether to offer to enter into a species agreement with a person,
  - (b) assist an environmental authority to determine whether to make or revoke a species control order,
  - (c) investigate suspected non-compliance with a species control agreement or a species control order,
  - (d) carry out species control operations for an environmental authority under a species control order,
  - (e) place a notice as specified in paragraph 10(2)(d)(i) or 14(2) (no identifiable owner), or
  - (f) carry out species control operations or work pursuant to paragraph 18(4).

This is subject to the other provisions of this Schedule.

- (2) A person may not enter premises under sub-paragraph (1)(a) or (b) with a view to establishing whether a species is present unless the environmental authority has reasonable grounds for suspecting that it is.

##### *Authorisation by justice of the peace*

- 22 (1) To enter premises under paragraph 21 a person must be authorised by a warrant issued by a justice of the peace where—
- (a) the premises consist of a dwelling or a garden, yard, outbuildings or other land used or enjoyed wholly with a dwelling,
  - (b) admission to the premises has been refused by an owner or refusal is reasonably apprehended,

---

**Changes to legislation:** *Wildlife and Countryside Act 1981 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

---

- (c) the premises are unoccupied,
  - (d) the owner is temporarily absent,
  - (e) giving notice would defeat the purpose of entry,
  - (f) entry is to carry out species control operations for an environmental authority under an order under paragraph 10(2)(c) (emergency),
  - (g) entry is to carry out species control operations for an environmental authority under an order under paragraph 10(2)(d) (no identifiable owner),
  - (h) entry is to place a notice as specified in paragraph 10(2)(d)(i) or 14(2), or
  - (i) entry is to carry out operations or work pursuant to paragraph 18(4) which the environmental authority considers to be urgently necessary.
- (2) A justice of the peace may not grant a warrant—
- (a) in the circumstances in sub-paragraph (1)(a) to (d) unless satisfied that reasonable notice of the proposed entry has been given to all owners of the premises of whom the environmental authority is aware, or
  - (b) in the circumstances in paragraph (1)(g) unless satisfied that the requirement in paragraph 14(2) (notice) has been met.
- (3) For the purposes of sub-paragraph (2)(a) less than 48 hours' notice is not reasonable.
- (4) A warrant may authorise a person to use reasonable force if necessary, but a person so authorised—
- (a) must be accompanied by a constable when doing so, and
  - (b) may not use force against an individual.

*Authorisation by environmental authority*

- 23 (1) To enter premises under paragraph 21 in circumstances other than those specified in paragraph 22(1), a person must be authorised in writing by the environmental authority.
- (2) A person authorised by an environmental authority may not demand admission as of right to any premises unless reasonable notice has been given to all owners of the premises of whom the authority is aware.
- (3) For these purposes less than 48 hours' notice is not reasonable.

*Exercise of right of entry*

- 24 (1) A right of entry under paragraph 21 is exercisable at any reasonable time.
- (2) A person authorised under paragraph 22 or 23 to enter premises must, if so required before entering, produce evidence of his or her warrant or other authorisation and state the purpose of entry.
- (3) A person entering premises under paragraph 21 may—
- (a) take on to the premises such other persons as may be necessary;
  - (b) take any equipment, machinery or materials on to the premises;
  - (c) take samples of anything in or on the premises.
- (4) A person who enters premises under paragraph 21 which are unoccupied or from which the owner is temporarily absent must, on departure, leave them as effectively secured as they were on entry.

---

**Changes to legislation:** *Wildlife and Countryside Act 1981 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

---

## PART 5

### SUPPLEMENTARY

#### *Compensation*

- 25 (1) The Secretary of State and the Welsh Ministers may (separately or jointly) make arrangements for the payment of compensation to an owner of premises in respect of financial loss resulting from—
- (a) a species control agreement or order, or
  - (b) the exercise of the powers of entry under this Schedule.
- (2) The arrangements may secure that compensation is payable only for financial loss above a specified amount.

#### *Codes of practice*

- 26 (1) The Secretary of State must issue a code of practice in relation to species control agreements and orders in England.
- (2) A code under this paragraph must in particular provide guidance to environmental authorities in England on—
- (a) when to offer to enter into a species control agreement;
  - (b) how to go about entering into a species control agreement;
  - (c) what a species control agreement should contain (and in particular what it should contain by way of provision about payment of costs);
  - (d) when to make a species control order;
  - (e) what a species control order should contain (and in particular what it should contain by way of provision about payment and recovery of costs);
  - (f) standards of animal welfare to be met in connection with species control agreements and orders.
- (3) A code under this paragraph may be revised or replaced.
- (4) Before issuing (or revising or replacing) a code under this paragraph the Secretary of State must carry out a public consultation.
- (5) The Secretary of State must—
- (a) ensure that a code under this paragraph is published in a way that is appropriate for bringing it to the attention of persons likely to be affected by it, and
  - (b) lay a copy of a code under this paragraph before Parliament.
- 27 (1) The Welsh Ministers must issue a code of practice in relation to species control agreements and orders in Wales.
- (2) A code under this paragraph must in particular provide guidance to environmental authorities in Wales on—
- (a) when to offer to enter into a species control agreement;
  - (b) how to go about entering into a species control agreement;
  - (c) what a species control agreement should contain (and in particular what it should contain by way of provision about payment of costs);
  - (d) when to make a species control order;

**Changes to legislation:** *Wildlife and Countryside Act 1981 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

- (e) what a species control order should contain (and in particular what it should contain by way of provision about payment and recovery of costs);
  - (f) standards of animal welfare to be met in connection with species control agreements and orders.
- (3) A code under this paragraph may be revised or replaced.
- (4) Before issuing (or revising or replacing) a code under this paragraph the Welsh Ministers must carry out a public consultation.
- (5) The Welsh Ministers must—
- (a) ensure that a code under this paragraph is published in a way that is appropriate for bringing it to the attention of persons likely to be affected by it, and
  - (b) lay a copy of a code under this paragraph before the National Assembly for Wales.
- 28 (1) A person's failure to comply with a provision of a code under paragraph 26 or 27 does not make the person liable to civil or criminal proceedings.
- (2) A code under paragraph 26 or 27—
- (a) is admissible in evidence in any civil proceedings, and
  - (b) must be taken into account by a court in any civil proceedings in which it appears to the court to be relevant.]

[<sup>F127</sup>SCHEDULE 9B

(introduced by sections 14AA(5) and  
16(4B))

INVASIVE ALIEN SPECIES: DEFENCES AND LICENCES

**Textual Amendments**

**F127** Sch. 9B inserted (1.11.2019) (S.) by [The Conservation \(Natural Habitats, c.\) \(Miscellaneous Amendments\) \(Scotland\) Regulations 2019 \(S.S.I. 2019/364\)](#), regs. 1(2), **2(8)**

**PART 1**

INTERPRETATION

*Interpretation*

1. In this schedule—
- “Invasive Alien Species Regulation” means Regulation (EU) No 1143/2014 of the European Parliament and of the Council on the prevention and management of the introduction and spread of invasive alien species,
  - “contained holding” means closed facilities from which escape or spread is not possible,
  - “ex-situ conservation” means the conservation of components of biological diversity outside their natural habitat,



**Changes to legislation:** *Wildlife and Countryside Act 1981 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

“invasive alien species” means a species, sub-species or lower taxon of animal, plant, fungus or micro-organism included on the [<sup>F128</sup>Scottish list of species of special concern,]

“research” means descriptive or experimental work, undertaken under regulated conditions to obtain new scientific findings or to develop new products, including the initial phases of identification, characterisation and isolation of genetic features, other than those features which make a species invasive, of invasive alien species only insofar as essential to enable the breeding of those features into non-invasive species,

[<sup>F129</sup>Scottish list of species of special concern” means the list of species in the Annex to Commission Implementing Regulation (EU) 2016/1141 adopting a list of invasive alien species of Union concern pursuant to Regulation (EU) No 1143/2014 of the European Parliament and of the Council, as amended from time to time.]

“specimen” means a live specimen and includes any part, gamete, seed, egg or propagule of a species, as well as any hybrids, varieties or breeds that might grow, hatch or reproduce, as the case may be,

<sup>F130</sup>  
...

#### Textual Amendments

- F128** Words in Sch. 9B para. 1 substituted (31.12.2020) by [The Invasive Non-native Species \(EU Exit\) \(Scotland\) \(Amendment etc.\) Regulations 2020 \(S.S.I. 2020/473\)](#), regs. 1(1), **10(5)(a)**
- F129** Words in Sch. 9B para. 1 inserted (31.12.2020) by [The Invasive Non-native Species \(EU Exit\) \(Scotland\) \(Amendment etc.\) Regulations 2020 \(S.S.I. 2020/473\)](#), regs. 1(1), **10(5)(b)**
- F130** Words in Sch. 9B para. 1 omitted (31.12.2020) by virtue of [The Invasive Non-native Species \(EU Exit\) \(Scotland\) \(Amendment etc.\) Regulations 2020 \(S.S.I. 2020/473\)](#), regs. 1(1), **10(5)(c)**

## PART 2

### DEFENCES

#### *Companion animals*

2. (1) This paragraph applies where—
- a person is charged with an offence under section 14ZC or 14AA,
  - the charge relates to an animal, and
  - the activity to which the charge relates contravenes one of the following paragraphs of Article 7(1) of the Invasive Alien Species Regulation—
    - paragraph (b) (keeping, including in contained holding),
    - paragraph (d) (transporting to, from or within [<sup>F131</sup>Scotland], except for the transportation of species to facilities in the context of eradication).
- (2) It is a defence to the charge to show that—
- immediately before the inclusion on the [<sup>F132</sup>Scottish list of species of special concern] of the species to which the animal belongs, the animal was kept as a companion animal,
  - at all material times the animal was kept—

**Changes to legislation:** *Wildlife and Countryside Act 1981 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

- (i) as a companion animal, or
- (ii) for the purpose of transporting the animal to a place mentioned in sub-paragraph (3), and
- (c) at all material times—
  - (i) the animal was kept in contained holding, and
  - (ii) appropriate measures were in place to ensure that it could not reproduce or escape.
- (3) The places referred to in sub-paragraph (2)(b)(ii) are—
  - (a) an establishment to which a relevant licence or permit has been granted,
  - (b) a facility to which a relevant licence has been granted,
  - (c) a place where the animal was to be humanely killed.
- (4) In sub-paragraph (3)—
  - (a) “relevant licence or permit” means, in relation to an establishment—
    - (i) a licence granted under section 16(4)(c) by virtue of paragraph 6,
    - (ii) a permit granted under article 35 of the Invasive Alien Species (Enforcement and Permitting) Order 2019 (S.I. 2019/527),
    - (iii) a permit granted under any provision in legislation which applies in relation to Northern Ireland and which enables a permit to be issued in accordance with Article 8 or 9 of the Invasive Alien Species Regulation,
  - (b) “relevant licence” means, in relation to a facility—
    - (i) a licence granted under section 16(4)(c) by virtue of paragraph 7,
    - (ii) a licence granted under article 36(1) of the Invasive Alien Species (Enforcement and Permitting) Order 2019 (S.I. 2019/527), for the purpose mentioned in article 36(2)(d) of that Order,
    - (iii) a licence granted under any provision in legislation which applies in relation to Northern Ireland and enables a licence to be issued for the keeping of an animal by a facility until the end of its natural life in accordance with Article 31(4) of the Invasive Alien Species Regulation.

#### Textual Amendments

- F131** Word in Sch. 9B para. 2(1)(c)(ii) substituted (31.12.2020) by [The Invasive Non-native Species \(EU Exit\) \(Scotland\) \(Amendment etc.\) Regulations 2020 \(S.S.I. 2020/473\)](#), regs. 1(1), **10(6)(a)(i)**
- F132** Words in Sch. 9B para. 2(2)(a) substituted (31.12.2020) by [The Invasive Non-native Species \(EU Exit\) \(Scotland\) \(Amendment etc.\) Regulations 2020 \(S.S.I. 2020/473\)](#), regs. 1(1), **10(6)(a)(ii)**

#### Commercial stocks

- 3 (1) This paragraph applies where—
- (a) a person who keeps a commercial stock of specimens of invasive alien species is charged with an offence under section 14ZC, 14A or 14AA,
  - (b) the charge relates to such a specimen, and
  - (c) the activity to which the charge relates contravenes one of the following paragraphs of Article 7(1) of the Invasive Alien Species Regulation—
    - (i) paragraph (b) (keeping, including in contained holding),

---

**Changes to legislation:** *Wildlife and Countryside Act 1981 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

---

- (ii) paragraph (d) (transporting to, from or within [<sup>F133</sup>Scotland], except for transportation of species to facilities in the context of eradication),
  - (iii) paragraph (e) (placing on the market),
  - (iv) paragraph (f) (using or exchanging).
- (2) It is a defence to the charge to show that—
- (a) the specimen was acquired by the person before the inclusion on the [<sup>F134</sup>Scottish list of species of special concern] of the species to which the specimen belongs,
  - (b) the activity to which the charge relates was not carried out after the end of the relevant period following the inclusion on [<sup>F135</sup>the Scottish list of species of special concern] to which the specimen belongs, and
  - (c) that activity is mentioned in sub-paragraph (3).
- (3) The activities referred to in sub-paragraph (2)(c) are—
- (a) sale or transfer to an establishment which holds a relevant licence or permit, provided that the conditions in paragraph (4) are met,
  - (b) a scientific or medicinal activity pursuant to a relevant licence or permit, provided that the conditions in paragraph (4) are met,
  - (c) destruction (in the case of a plant, fungus or micro-organism) or humane killing (in the case of an animal) of the specimen to exhaust the keeper's stock, or
  - (d) sale or transfer to a non-commercial user, provided that the conditions in paragraph (4) are met.
- (4) The conditions referred to in sub-paragraph (3) are that, at all material times—
- (a) the specimen was kept and transported in contained holding, and
  - (b) appropriate measures were in place to ensure that it could not reproduce or escape.
- (5) For the purposes of sub-paragraph (2)(b), the relevant period is—
- (a) in relation to an activity mentioned in sub-paragraph (3)(a) to (c), 2 years,
  - (b) in relation to an activity mentioned in sub-paragraph (3)(d), 1 year.
- (6) In sub-paragraph (3), “relevant licence or permit” means—
- (a) for the purposes of sub-paragraph (3)(a)—
    - (i) a licence granted under section 16(4)(c) by virtue of paragraph 6(b) (i) or (ii),
    - (ii) a permit granted under section 35(1)(a) of the Invasive Alien Species (Enforcement and Permitting) Order 2019 ([S.I. 2019/527](#)),
    - (iii) a permit granted under any provision in legislation which applies in relation to Northern Ireland and enables permits to be issued for research or ex-situ conservation in accordance with Article 8 of the Invasive Alien Species Regulation,
  - (b) for the purposes of sub-paragraph (3)(b)—
    - (i) a licence granted under section 16(4)(c) by virtue of paragraph 6(b) (iii),
    - (ii) a permit granted under article 35(1)(b) of the Invasive Alien Species (Enforcement and Permitting) Order 2019 ([S.I. 2019/527](#)),

*Changes to legislation: Wildlife and Countryside Act 1981 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

- (iii) a permit granted under any provision in legislation which applies in relation to Northern Ireland and enables permits to be issued for scientific production and subsequent medicinal use in accordance with Article 8 of the Invasive Alien Species Regulation.

#### Textual Amendments

- F133** Word in Sch. 9B para. 3(1)(c)(ii) substituted (31.12.2020) by [The Invasive Non-native Species \(EU Exit\) \(Scotland\) \(Amendment etc.\) Regulations 2020 \(S.S.I. 2020/473\)](#), regs. 1(1), **10(6)(b)(i)**
- F134** Words in Sch. 9B para. 3(2)(a) substituted (31.12.2020) by [The Invasive Non-native Species \(EU Exit\) \(Scotland\) \(Amendment etc.\) Regulations 2020 \(S.S.I. 2020/473\)](#), regs. 1(1), **10(6)(b)(ii)**
- F135** Words in Sch. 9B para. 3(2)(b) substituted (31.12.2020) by [The Invasive Non-native Species \(EU Exit\) \(Scotland\) \(Amendment etc.\) Regulations 2020 \(S.S.I. 2020/473\)](#), regs. 1(1), **10(6)(b)(iii)**

#### *Non-commercial owners: receipt of commercial stocks*

- 4 (1) This paragraph applies where—
- (a) a person is charged with an offence under section 14ZC or 14AA, and
  - (b) the activity to which the charge relates contravenes one of the following paragraphs of Article 7(1) of the Invasive Alien Species Regulation—
    - (i) paragraph (b) (keeping, including in contained holding),
    - (ii) paragraph (d) (transporting to, from or within [<sup>F136</sup>Scotland], except for the transportation of species to facilities in the context of eradication).
- (2) It is a defence to the charge to show that—
- (a) the specimen to which the charge relates was received by the person—
    - (i) from a keeper of commercial stocks of specimens of the species to which the specimen belongs, and
    - (ii) before the end of the period of one year beginning with the date on which that species was included on the [<sup>F137</sup>Scottish list of species of special concern], and
  - (b) at all material times—
    - (i) the specimen was kept and transported in contained holding, and
    - (ii) appropriate measures were in place to ensure that it could not reproduce or escape.

#### Textual Amendments

- F136** Word in Sch. 9B para. 4(1)(b)(ii) substituted (31.12.2020) by [The Invasive Non-native Species \(EU Exit\) \(Scotland\) \(Amendment etc.\) Regulations 2020 \(S.S.I. 2020/473\)](#), regs. 1(1), **10(6)(c)(i)**
- F137** Words in Sch. 9B para. 4(2)(a)(ii) substituted (31.12.2020) by [The Invasive Non-native Species \(EU Exit\) \(Scotland\) \(Amendment etc.\) Regulations 2020 \(S.S.I. 2020/473\)](#), regs. 1(1), **10(6)(c)(ii)**

**Changes to legislation:** *Wildlife and Countryside Act 1981 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

### PART 3

#### LICENCES

##### *Restrictions*

5. (1) The appropriate authority must not grant a licence under section 16(4)(c) permitting an activity which contravenes one of the following paragraphs of Article 7(1) of the Invasive Alien Species Regulation unless any of paragraphs 6 to 9 apply—
- (a) paragraph (b) (keeping, including in contained holding),
  - (b) paragraph (c) (breeding, including in contained holding),
  - (c) paragraph (d) (transporting to, from or within [<sup>F138</sup>Scotland], except for the transportation of species to facilities in the context of eradication),
  - (d) paragraph (f) (using or exchanging),
  - (e) paragraph (g) (permitting to reproduce, growing or cultivating, including in contained holding).
- (2) The appropriate authority must not grant a licence under section 16(4)(c) permitting an activity which contravenes one of the following paragraphs of that Article unless paragraph 8 or 9 applies—
- (a) paragraph (e) (placing on the market),
  - (b) paragraph (h) (releasing into the environment).

##### **Textual Amendments**

**F138** Word in Sch. 9B para. 5(1)(c) substituted (31.12.2020) by [The Invasive Non-native Species \(EU Exit\) \(Scotland\) \(Amendment etc.\) Regulations 2020 \(S.S.I. 2020/473\)](#), regs. 1(1), **10(7)**

##### *Research etc.*

- 6 This paragraph applies if the licence—
- (a) is granted to an establishment,
  - (b) permits an activity to be done in the course of—
    - (i) research on an invasive alien species,
    - (ii) ex-situ conservation of an invasive alien species,
    - (iii) scientific production, and subsequent medicinal use of, a product derived from an invasive alien species where its use is necessary for the advancement of human health, or
    - (iv) in exceptional circumstances, such other activities as are justified for reasons of compelling public interest, including those of a social or economic nature, in accordance with Article 9 of the Invasive Alien Species Regulation, and
  - (c) is subject to the conditions specified in Article 8(2) and (3) of that Regulation.

##### *Keeping animals until the end of their natural lives*

- 7 This paragraph applies if—
- (a) the licence is granted for the purpose of the keeping of an animal by a facility (including any necessary ancillary activities such as transportation)

---

**Changes to legislation:** *Wildlife and Countryside Act 1981 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

---

- until the end of its natural life in accordance with Article 31(4) of the Invasive Alien Species Regulation, and
- (b) the appropriate authority is satisfied that all appropriate controls are in place to ensure that reproduction or escape of the animal is not possible.

#### *Eradication measures*

- 8 This paragraph applies if the licence is—
- (a) granted for the purpose of implementation of an eradication measure pursuant to Article 17 of the Invasive Alien Species Regulation, and
- (b) subject to such conditions as are, in the opinion of the appropriate authority, necessary to meet the aim of ensuring that the eradication measure to which the licence relates will be effective in achieving the complete and permanent removal of the population of the invasive alien species concerned.

#### *Management measures*

- 9 (1) This paragraph applies if the licence is granted for the purpose of implementation of a management measure pursuant to Article 19 of the Invasive Alien Species Regulation.
- (2) But, where the licence is granted for the purpose of the commercial use, on a temporary basis, of an invasive alien species as part of such a management measure pursuant to Article 19(2) of that Regulation, this paragraph applies only if the appropriate authority is satisfied that—
- (a) there is strict justification for that use, and
- (b) all appropriate controls are in place to avoid any further spread of the species concerned.]

### AMENDMENT OF THE ENDANGERED SPECIES (IMPORT AND EXPORT) ACT 1976

#### **Editorial Information**

- X6** The text of Sch. 7 paras. 3-12 and Sch. 10 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

---

**Changes to legislation:** *Wildlife and Countryside Act 1981 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

---

## PART I

### THE AMENDMENTS

#### *Licences*

- 1 (1) After subsection (3) of section 1 of the 1976 Act (restriction on importation and exportation of certain animals and plants) there shall be inserted the following subsections—

“(3A) Subsection (3) above shall not apply in relation to an application of any description if the scientific authority concerned has advised the Secretary of State as to whether licences should be issued in pursuance of applications of that description and, if so, their terms.

(3B) Where the Secretary of State is satisfied that the issue of a licence authorising the importation or exportation of any item which—

- (a) is part of or derives from or is made wholly or partly from an animal of any of the kinds to which Schedule 1 or a plant of any of the kinds to which Schedule 2 to this Act for the time being applies ; but
- (b) is not an item to which Schedule 3 to this Act for the time being applies.

would facilitate the importation or exportation of that item, he may, if he considers it expedient to do so, issue such a licence.”

- (2) In subsections (4), (5), (6) and (7) of that section after the words “subsection (2)” there shall be inserted the words “or (3B)”.

- (3) In subsection (4) of that section after paragraph (a) there shall be inserted the following paragraphs—

- “(aa) may be issued either to all persons, to persons of a class or to a particular person ;
- (ab) may be subject to compliance with any specified conditions;” and in paragraph (c) of that subsection for the words from “a period” to “shorter” there shall be substituted the word “such”.

#### *Expenses of returning animals and plants to the wild*

- 2 After subsection (8) of section 1 of the 1976 Act there shall be inserted the following subsection—

“(9) Where, in the case of a live animal or a plant of any kind which is condemned or deemed to be condemned as forfeited, the Commissioners of Customs and Excise incur any expenses in connection with, or with a view to—

- (a) its return to the wild ; or
- (b) its being kept at premises (whether within or outside the United Kingdom) which are suitable for the keeping of animals or plants of that kind,

those expenses may be recovered, as a debt due to the Crown, from the importer or intending exporter of the animal or plant or any person possessing or having control of it at the time of its seizure.

---

**Changes to legislation:** *Wildlife and Countryside Act 1981 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

---

In this subsection expressions which are also used in the Customs and Excise Management Act 1979 have the same meanings as in that Act.”

*Powers of entry*

3 After the subsection inserted by paragraph 2 as subsection (9) of section 1 of the 1976 Act there shall be inserted the following subsections—

“(10) Any person duly authorised in writing by the Secretary of State may, at any reasonable time and (if required to do so) upon producing evidence that he is so authorised, enter any premises where animals of any of the kinds to which Schedule 1 or plants of any of the kinds to which Schedule 2 to this Act for the time being applies are kept (whether temporarily or permanently) in order to ascertain whether any of the animals or plants kept there have been imported contrary to this section.

(11) Any person who wilfully obstructs a person acting under subsection (10) above shall be liable on summary conviction to a fine not exceeding £200.”

*Power to modify Schedules*

4 (1) In paragraph (c) of section 3 of the 1976 Act (power to modify Schedules) after the word “conservation” there shall be inserted the words “in any area” and after the word “endangered” there shall be inserted the word “there”.

(2) After paragraph (d) of that section there shall be inserted the following paragraph—

“(dd) to restrict the importation of animals or plants of any kind which appear to the Secretary of State to be unlikely to survive for any appreciable time if they are kept in the United Kingdom ;”.

*Sale of certain animals or plants or their derivatives*

5 (1) In subsection (1) of section 4 of the 1976 Act (offences to sell etc. things imported contrary to section 1 or their derivatives) for the words “Subject to subsection (2)” there shall be substituted the words “Subject to subsections (1B) and (2)”, after the words “has in his possession” there shall be inserted the words “or transports” and the words “and in the following provisions” onwards shall be omitted.

(2) After that subsection there shall be inserted the following subsections—

“(1A) Subject to subsections (1B) and (2) below, a person who sells, offers or exposes for sale, or has in his possession or transports for the purpose of sale—

(a) a live or dead animal of any of the kinds to which Schedule 4 to this Act for the time being applies or an egg or other immature stage of such an animal ;

(b) a live or dead plant of any of the kinds to which Schedule 5 to this Act for the time being applies ; or

(c) any part of or anything which derives from or is made wholly or partly from anything referred to in paragraph (a) or (b) above,

shall be guilty of an offence ; but nothing in this subsection shall apply in relation to anything falling within subsection (1) above or anything which



---

**Changes to legislation:** *Wildlife and Countryside Act 1981 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

---

has been imported, or is a part of or derives from or is made wholly or partly from anything which has been imported, before the passing of the Wildlife and Countryside Act 1981.

(1B) Subsections (1) and (1A) above do not apply to anything done under and in accordance with the terms of a licence issued by the Secretary of State ; and subsections (4) to (7) of section 1 above shall apply in relation to a licence issued under this subsection as they apply in relation to a licence issued under subsection (2) of that section.

(1C) In the following provisions of this section “ restricted article ” means anything falling within subsection (1) or (1A) above. ”

- (3) In subsection (2) of that section after the words “subsection (1)” there shall be inserted the words “or (1A)”.
- (4) In subsection (5) of that section after the words “subsection (1)” there shall be inserted the words “, (1A)”.
- (5) In subsection (6) of that section after the words “references to” there shall be inserted the word “hire”.
- (6) After Schedule 3 to the 1976 Act there shall be inserted as Schedule 4 the Schedule set out in Part II of this Schedule.
- (7) After the Schedule inserted in the 1976 Act by sub-paragraph (6) there shall be inserted as Schedule 5 the Schedule set out in Part III of this Schedule.

## PART II

### SCHEDULE INSERTED AS SCHEDULE 4

#### SCHEDULE 4

##### ANIMALS THE SALE ETC. OF WHICH IS RESTRICTED

This Schedule applies to the following kinds of animals, namely—

#### MAMMALS

1 The kinds of mammal specified in the first column below—

##### *Marsupials*

---

<i>Kind</i>	<i>Common name</i>
Bettongia	Rat kangaroo
Caloprymnus campestris	Desert rat-kangaroo
Lagorchestes hirsutus	Western hare-wallaby
Lagostrophus fasciatus	Banded hare-wallaby

*Changes to legislation: Wildlife and Countryside Act 1981 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

Onychogalea fraenata	Bridle nail-tailed wallaby
Onychogalea lunata	Crescent nail-tailed wallaby
Lasiorhinus krefftii	Queensland hairy-nosed wombat
Chaeropus ecaudatus	Pig-footed bandicoot
Macrotis lagotis	Rabbit-bandicoot
Macrotis leucara	Lesser rabbit-bandicoot
Perameles bougainville	Western barred bandicoot
Sminthopsis longicaudata	Long-tailed dunnart
Sminthopsis psammophila	Sandhill dunnart
Thylacinus cynocephalus	Tasmanian wolf

*Primates*

Allocebus	Hairy-eared dwarf lemur
Cheirogaleus	Dwarf lemurs
Hapalemur	Gentle lemurs
Lemur	Lemurs
Lepilemur	Sportive and weasel lemurs
Microcebus	Mouse lemurs
Phaner	Fork-marked mouse lemurs
Avahi	Avahis (otherwise known as Woolly indris)
Indri	Indris
Propithecus	Sifakas
Daubentonia madagascariensis	Aye-aye
Callimico goeldii	Goeldi's marmoset (otherwise known as Goeldi's tamarin)
Callithrix aurita	White eared marmoset
Callithrix flaviceps	Buff-headed marmoset
Leontopithecus	Maned tamarin (otherwise known as Golden tamarin)
Saguinus bicolor	Pied tamarin
Saguinus geoffroyi	Geoffroy's tamarin
Saguinus leucopus	White-footed tamarin
Saguinus oedipus	Cotton-headed tamarin
Alouatta palliata (otherwise known as Alouatta villosa)	Mantled howler

---

**Changes to legislation:** *Wildlife and Countryside Act 1981 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

---

Ateles geoffroyi frontatus	Black-browed spider monkey
Ateles geoffroyi panamensis	Red spider monkey
Brachyteles arachnoides	Woolly spider monkey
Cacajao	Uakaris
Chiropotes albinus	White-nosed saki
Saimiri oerstedii	Red-backed squirrel monkey
Cercocebus galeritus galeritus	Tana River mangabey
Cercopithecus diana	Diana monkey
Colobus badius kirkii	Kirk's red colobus (otherwise known as Zanzibar red colobus)
Colobus badius rufomitratu	Tana River red colobus
Macaca silenus	Lion-tailed macaque
Nasalis larvatus	Proboscis monkey
Papio leucophaeus (otherwise known as Mandrillus leucophaeus)	Drill
Papio sphinx (otherwise known as Mandrillus sphinx)	Mandrill
Presbytis entellus	Langur (otherwise known as Entellus langur or True langur)
Presbytis geei	Golden langur
Presbytis pileatus	Caped langur
Presbytis potenziani	Mentawi leaf monkey
Pygathrix nemaus	Douc langur
Rhinopithecus roxellanae	Snub-nosed langur
Simias concolor	Mentawi snub-nosed langur
Hylobates	Gibbons
Symphalangus syndactylus	Siamang
Pongidae	Great apes

---

*Edentates*

---

Pridontes giganteus (otherwise known as Pridontes maximus)	Giant armadillo
--	-----------------

---

*Pangolins*

---

Manis temmincki	South African pangolin
-----------------	------------------------

---

*Changes to legislation: Wildlife and Countryside Act 1981 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

### *Rabbits and hares*

Caprolagus hispidus	Assam rabbit (otherwise known as Hispid hare)
Romerolagus diazi	Volcano rabbit

### *Rodents*

Cynomys mexicanus	Mexican prairie marmot
Leporillus conditor	Australian sticknest rat
Pseudomys fumeus	Smoky mouse
Pseudomys praeconis	Shark Bay mouse
Xeromys myoides	False water rat
Zyzomys pendunculatus	Central thick-tailed rat
Chinchilla (except any domestic form of Chinchilla laniger)	Chinchilla

### *Cetaceans*

Lipotes vexillifer	Chinese river dolphin
Physter catodon (otherwise known as Physter macrocephalus)	Sperm whale
Platanista gangetica	Ganges dolphin
Platanista minor	Indus river dolphin
Sotalia	Humpbacked dolphins
Sousa	Humpbacked dolphins
Neophocaena phocaenoides	Finless porpoise
Phocoena sinus	Cochito
Balaena mysticetus	Greenland right whale (otherwise known as Bowhead whale)
Balaenoptera borealis	Sei whale
Balaenoptera musculus	Blue whale
Balaenoptera physalus	Common rorqual
Eschrichtius	Grey whales
Eubalaena	Right whales
Megaptera novaeangliae	Humpback whale

---

**Changes to legislation:** *Wildlife and Countryside Act 1981 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

---

### *Carnivores*

---

Spethos venaticus	Bush dog
Vulpes velox hebes	Northern kit fox
Helarctos malayanus	Sun bear
Selenarctos thibetanus	Asiatic black bear
Tremarctos ornatus	Spectacled bear
Ursus arctos isabellinus	Brown bear
Ursus arctos nelsoni	Mexican brown bear
Ursus arctos pruinosus	Tibetan brown bear
Aonyx microdon	Cameroon clawless otter
Enhydra lutris nereis	Southern sea otter
Lutra felina	Marine otter
Lutra longicaudis	South American otter
Lutra lutra	Eurasian otter
Lutra provocax	Southern river otter
Mustela nigripes	Black-footed ferret
Pteronura brasiliensis	Giant otter
Prionodon pardicolor	Spotted linsang
Hyaena brunnea	Brown hyaena
Acinonyx jubatus	Cheetah
Felis bengalensis bengalensis	Leopard cat
Felis concolor coryi	Florida puma
Felis concolor costaricensis	Costa Rica puma
Felis concolor cougar	Eastern puma
Felis jacobita	Andean cat
Felis rufa escuinapae	Mexican bobcat
Felis marmorata	Marbled cat
Felis nigripes	Black-footed cat
Felis pardalis mearnsi	Costa Rica ocelot
Felis pardalis mitis	Brazilian ocelot
Felis planiceps	Flat-headed cat
Felis rubiginosa	Rusty spotted cat
Felis temmincki	Asiatic golden cat
Felis tigrina oncella	Little spotted cat

*Changes to legislation: Wildlife and Countryside Act 1981 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

<i>Felis wiedii nicaraguae</i>	Nicaraguan margay
<i>Felis wiedii salvinia</i>	Guatemalan margay
<i>Felis yagouaroundi cacomitli</i>	Jaguarundi
<i>Felis yagouaroundi fossata</i>	Jaguarundi
<i>Felis yagouaroundi panamensis</i>	Jaguarundi
<i>Felis yagouaroundi tolteca</i>	Jaguarundi
<i>Neofelis nebulosa</i>	Clouded leopard
<i>Panthera leo persica</i>	Asiatic lion
<i>Panthera onca</i>	Jaguar
<i>Panthera pardus</i>	Leopard
<i>Panthera tigris</i>	Tiger
<i>Panthera uncia</i>	Snow leopard

*Seals*

<i>Arcocephalus townsendi</i>	Guadelupe fur seal
<i>Monachus</i>	Monk seals

*Elephants*

<i>Elephas maximus</i>	Asian elephant
------------------------	----------------

*Sea-cows*

<i>Dugong dugon</i>	Dugong (otherwise known as Sea-cow)
<i>Trichechus inunguis</i>	Amazonian manatee
<i>Trichechus manatus</i>	West Indian manatee

*Odd-toed ungulates*

<i>Equus grevyi</i>	Grevy's zebra
<i>Equus hemionus hemionus</i>	Mongolian wild ass
<i>Equus hemionus khur</i>	Indian wild ass
<i>Equus przewalskii</i>	Przewalski's horse
<i>Equus zebra zebra</i>	Cape mountain zebra
<i>Tapirus bairdii</i>	Central American tapir

---

**Changes to legislation:** *Wildlife and Countryside Act 1981 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

---

Tapirus indicus	Malayan tapir (otherwise known as Indian tapir)
Tapirus pinchaque	Mountain tapir (otherwise known as Woolly tapir)
Rhinocerotidae	Rhinoceroses

---

*Even-toed ungulates*

---

Babyrousa babyrussa	Babirusa
Sus salvanius	Pygmy hog
Vicugna vicugna	Calamian deer
Axis kuhli	Bawean deer
Axis porcinus annamiticus	Thai hog deer
Blastocerus dichotomus	Marsh deer
Cervus duvauceli	Swamp deer
Cervus elaphus hanglu	Kashmir stag (otherwise known as Hanglu)
Cervus eldi	Brow-antlered deer
Dama mesopotamica	Persian fallow deer
Hippocamelus antisimensis	Peruvian huemal
Hippocamelus bisulcus	Chilean huemal
Moschus moschiferus moschiferus	Himalayan musk deer
Ozotoceros bezoarticus	Pampas deer
Pudu pudu	Chilean pudu
Antilocapra americana peninsularis	Lower California pronghorn
Antilocapra americana sonoriensis	Sonoran pronghorn
Bison bison athabasca	Wood bison
Bos gaurus	Gaur
Bos mutus	Wild yak
Bubalus depressicornis	Lowland anoa
Bubalus mindorensis	Tamaraw
Bubalus quarlesi	Mountain anoa
Capra falconeri chiltanensis	Markhor
Capra falconeri jerdoni	Markhor
Capra falconeri megaceros	Markhor
Capricornis sumatraensis	Serow
Hippotragus niger variani	Giant sable antelope

*Changes to legislation: Wildlife and Countryside Act 1981 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

Nemorhaedua goral	Goral
Novibos sauveli	Koupray
Oryx leucoryx	Arabian oryx
Ovis ammon hodgsoni	Great Tibetan sheep
Ovis orientalis ophion	Cyprian mouflon
Ovis vignei	Urial
Pantholops hodgsoni	Tibetan antelope
Rupicapra rupicapra ornata	Abrussi chamois

### BIRDS

2 The kinds of bird specified in the first column below—

#### *Rheas*

Pterocnemia pennata	Lesser rhea
---------------------	-------------

#### *Tinamous*

Tinamus solitarius	Solitary tinamou
--------------------	------------------

#### *Penguins*

Spheniscus humboldti	Humboldt penguin
----------------------	------------------

#### *Grebes*

Podilymbus gigas	Atitlan grebe
------------------	---------------

#### *Albatrosses*

Diomedea albatrus	Short-tailed albatross
-------------------	------------------------

#### *Pelican-like birds*

Sula abbotti	Abbot's booby
Fregata andrewsi	Christmas Island frigatebird



**Changes to legislation:** *Wildlife and Countryside Act 1981 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

---

*Storks*

---

Ciconia ciconia boyciana	Japanese white stork
Geronticus eremita	Bald ibis
Nipponia nippon	Japanese crested ibis

---

*Waterfowl*

---

Anas aucklandica nesiotis	Campbell Island Flightless teal
Anas laysanensis	Laysan duck
Anas oustaleti	Marianas Island duck (otherwise known as Marianas Mallard)
Branta canadensis leucopareia	Aleutian Canada goose
Branta sandvicensis	Hawaiian goose (otherwise known as Nene)
Cairina scutulata	White winged wood duck
Rhodonessa caryophyllacea	Pink-headed duck

---

*Diurnal Birds of Prey*

---

Cathartidae	New world vultures
Pandion haliaetus	Osprey
Accipitridae	True hawks
Sagittarius serpentarius	Secretary bird
Falconidae	Falcons

---

*Gamebirds*

---

Aburria jacutinga	Black-fronted curassow (otherwise known as Black-fronted guan)
Aburria pipile	White-headed curassow (otherwise known as Piping guan)
Catreus wallichii	Cheer pheasant
Colinus virginianus ridgwayi	Masked bobwhite
Crax blumenbachii	Red-billed curassow
Crax mitu	Razor-billed curassow
Crossoptilon crossoptilon	White Eared-pheasant
Crossoptilon mantchuricum	Brown Eared-pheasant

---

**Changes to legislation:** *Wildlife and Countryside Act 1981 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

---

Lophophorus impejanus	Himalayan monal
Lophophorus lhuysii	Chinese monal
Lophophorus sclateri	Sclater's monal
Lophura edwardsi	Edward's pheasant
Lophura imperialis	Imperial pheasant
Lophura swinhoei	Swinhoe's pheasant
Macrocephalon maleo	Maleo Fowl
Oreophasis derbianus	Horned guan
Penelope albipennis	White-winged guan
Polyplectron emphanum	Palawan peacock pheasant
Syrmaticus ellioti	Elliot's pheasant
Syrmaticus humiae	Hume's pheasant (otherwise known as Bar-tailed pheasant)
Syrmaticus mikado	Mikado pheasant
Tetraogallus caspius	Caspian snowcock
Tetraogallus tibetanus	Tibetan snowcock
Tragopan blythii	Blyth's tragopan
Tragopan caboti	Cabot's tragopan
Tragopan melanocephalus	Western tragopan
Tympanuchus cupido attwateri	Attwater's prairie chicken

---

*Cranes and rails*

---

Grus americana	Whooping crane
Grus canadensis nesiotes	Cuban sandhill crane
Grus canadensis pulla	Mississippi sandhill crane
Grus japonensis	Manchurian crane (otherwise known as Japanese crane)
Grus leucogeranus	Siberian White crane
Grus monacha	Hooded crane
Grus nigricollis	Black-necked crane
Grus vipio	White-necked crane (otherwise known as White-naped crane)
Tricholimnas sylvestris	Lord Howe wood-rail
Rhynchotus jubatus	Kagu
Chlamydotis undulata	Houbara bustard

---

**Changes to legislation:** *Wildlife and Countryside Act 1981 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

---

Choriotis nigriceps (otherwise known as Ardeotis nigriceps)	Great Indian bustard
Eupodotis bengalensis	Bengal florican

---

*Waders and Gulls*

---

Numenius borealis	Eskimo curlew
Tringa guttifer	Spotted greenshank (otherwise known as Nordmann's greenshank)
Larus relictus	Relict gull

---

*Pigeons and doves*

---

Caloenas nicobarica	Nicobar pigeon
Ducula mindorensis	Mindoro imperial pigeon

---

*Parrots*

---

Amazona arausiaca	Red-necked parrot (otherwise known as Red-necked amazon)
Amazona barbadensis	Yellow-shouldered parrot (otherwise known as Yellow-shouldered amazon)
Amazona brasiliensis	Red-tailed parrot (otherwise known as Red-tailed amazon)
Amazona guildingii	St. Vincent parrot (otherwise known as St. Vincent amazon)
Amazona imperialis	Imperial parrot (otherwise known as Imperial amazon)
Amazona leucocephala	Cuban parrot (otherwise known as Cuban amazon)
Amazona pretrei	Red-spectacled parrot (otherwise known as Red-spectacled amazon)
Amazona rhodocorytha (otherwise known as Amazona dufresniana rhodocorytha)	Red-crowned parrot (otherwise known as Red-crowned amazon)
Amazona versicolor	St Lucia parrot (otherwise known as St Lucia amazon)
Amazona vinacea	Vinaceous parrot (otherwise known as Vinaceous amazon)
Amazona vittata	Puerto Rico parrot (otherwise known as Puerto Rican amazon)

*Changes to legislation: Wildlife and Countryside Act 1981 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

Anodorhynchus glaucus	Glaucous macaw
Anodorhynchus leari	Lear’s macaw
Aratinga guaruba	Golden parakeet (otherwise known as Golden conure)
Cyanopsitta spixii	Spix’s macaw
Cyanoramphus auriceps forbesi	Forbes’ parakeet
Cyanoramphus novaezelandiae	Red-fronted parakeet
Cyclopsitta diophthalma coxeni (otherwise known as Oropsitta diophthalma coxeni)	Coxen’s fig parrot
Geopsittacus occidentalis	Australian night parrot
Neophema chrysogaster	Orange-bellied parakeet (otherwise known as Orange-bellied parrot)
Pezoporus wallicus	Ground parrot
Pionopsitta pileata	Red-capped parrot (otherwise known as Pileated parrot)
Psephotus chrysopterygius	Golden-shouldered parakeet (otherwise known as Golden-shouldered parrot or Hooded parakeet)
Psephotus pulcherrimus	Paradise parrot
Psittacula echo (otherwise known as Psittacula krameri echo)	Mauritius parakeet (otherwise known as Mauritius ring-necked parakeet)
Psittacus erithacus princeps	Fernando Po grey parrot
Pyrrhura cruentata	Blue-throated conure
Rhynchopsitta pachyrhyncha	Thick-billed parrot
Rhynchopsitta terrisi	Maroon-fronted parrot
Strigops habroptilus	Kakapo (otherwise known as Owl parrot)

*Hummingbirds*

Ramphodon dohrnii	Hook-billed hermit
-------------------	--------------------

*Trogons*

Pharomachrus mocinno costaricensis	Costa Rican quetzal (otherwise known as Resplendent quetzal)
Pharomachrus mocinno mocinno	Magnificent quetzal (otherwise known as Resplendent quetzal)

**Changes to legislation:** Wildlife and Countryside Act 1981 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

---

### Owls

Tytonidae	Barn owls
Strigidae	Typical owls

---

### Hornbills

Buceros bicornis (otherwise known as Buceros homrai)	Great pied hornbill
Rhinoplax vigil	Helmeted hornbill

---

### Woodpeckers

Campephilus imperialis	Imperial woodpecker
Dryocopus javensis richardsi	Tristram's woodpecker (otherwise known as White-bellied black woodpecker)

---

### Songbirds

Cotinga maculata	Banded cotinga
Xipholena atropurpurea	White-winged cotinga
Pitta kochi	Koch's pitta
Atrichornis clamosa	Noisy scrub-bird
Leucopsar rothschildi	Rothschild's mynah
Dasyornis brachypterus longirostris	Western bristlebird
Dasyornis broadbenti littoralis	Western rufous bristlebird
Picathartes gymnocephalus	White-necked rockfowl (otherwise known as Yellow-headed rockfowl or Guinea bare-headed rockfowl)
Picathartes oreas	Grey-necked rockfowl (otherwise known as Cameroon bare-headed rockfowl or Red-headed rockfowl)
Zosterops albogularis	White-breasted silver-eye
Meliphaga cassidix	Helmeted honeyeater
Spinus cucullatus (otherwise known as Carduelis cucullatus)	Red siskin

---

**Changes to legislation:** *Wildlife and Countryside Act 1981 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

## REPTILES

3 The kinds of reptile specified in the first column below—

### *Crocodylians*

---

Alligator sinensis	Chinese alligator
Caiman crocodilus apaporiensis	Rio Apaporis caiman (otherwise known as Spectacled caiman)
Caiman latirostris	Broad-nosed caiman
Melanosuchus niger	Black caiman
Crocodylus acutus	American crocodile
Crocodylus cataphractus	African slender-snouted crocodile (otherwise known as African sharp-nosed crocodile)
Crocodylus intermedius	Orinoco crocodile
Crocodylus moreletii	Morelet’s crocodile
Crocodylus niloticus	Nile crocodile
Crocodylus novaeguineae mindorensis	Philippine crocodile
Crocodylus palustris	Mugger (otherwise known as Marsh crocodile or Broad-snouted crocodile)
Crocodylus porosus	Estuarine crocodile (otherwise known as Salt-water crocodile)
Crocodylus rhombifer	Cuban crocodile
Crocodylus siamensis	Siamese crocodile
Osteolaemus tetraspis	West African dwarf crocodile
Tomistoma schlegelii	False gharial (otherwise known as False gavial)
Gavialis gangeticus	Indian gharial (otherwise known as Indian gavial)

---

### *Iguanas*

---

Brachylophus	Fijian iguanas
Cyclura	Caribbean rock iguanas
Sauromalus varius	San Esteban Island chuck-walla

---

**Changes to legislation:** *Wildlife and Countryside Act 1981 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

### Lizards

Varanus bengalensis	Bengal monitor (otherwise known as Indian monitor or Common monitor)
Varanus flavescens	Yellow monitor
Varanus griseus	Desert monitor (otherwise known as Agra monitor or Grey monitor)
Varanus komodoensis	Komodo dragon

### Snakes

Acrantophis	Madagascar boas
Bolyeria	Round island boas
Casarea	Round island boas
Epicrates inornatus	Yellow tree boa
Epicrates subflavus	Jamaican boa
Python molurus molurus	Indian python (otherwise known as Indian rock python)
Sanzinia madagascariensis	Madagascar boa

### Tuatara

Sphenodon punctatus	Tuatara
---------------------	---------

### Chelonians

Batagur baska	River terrapin (otherwise known as Tuntong)
Geoclemys hamiltonii (otherwise known as Damonia hamiltonii)	Black pond turtle (otherwise known as Spotted pond turtle)
Melanochelys tricarinata (otherwise known as Geoemyda tricarinata or Nicoria tricarinata)	Three-keeled turtle (otherwise known as Three-keeled land tortoise)
Kachuga tecta tecta	Indian tent turtle (otherwise known as Indian sawback turtle or Roofed turtle or Dura turtle)
Morenia ocellata	Burmese swamp turtle
Terrapene coahuila	Aquatic box turtle (otherwise known as Water box turtle)
Geochelone elephantopus (otherwise known as Testudo elephantopus)	Galapagos giant tortoise

*Changes to legislation: Wildlife and Countryside Act 1981 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

Geochelone radiata (otherwise known as Testudo radiata)	Radiated tortoise (otherwise known as Rayed tortoise)
Geochelone yniphora (otherwise known as Testudo yniphora)	Madagascar tortoise (otherwise known as Rayed tortoise or Angonoka)
Gopherus flavomarginatus (otherwise known as Crophemus polyphemus flavomarginatus)	Mexican gopher tortoise
Psammobates geometricus (otherwise known as Testudo geometricus)	Geometric tortoise
Cheloniidae	Sea turtles
Dermochelys coriacea	Leatherback turtle (otherwise known as Leathery turtle or Luth)
Lissemys punctata punctata	Indian flap-shelled turtle
Trionyx ater	Cuatro Cienegas soft-shell turtle (otherwise known as Black soft-shelled turtle)
Trionyx gangeticus	Ganges soft-shelled turtle (otherwise known as Indian soft-shelled turtle)
Trionyx hurum	Peacock-marked soft-shelled turtle
Trionyx nigricans	Dark-coloured soft-shelled turtle
Pseudemydura umbrina	Short-necked turtle (otherwise known as Western swamp turtle)

#### AMPHIBIANS

The kinds of amphibian specified in the first column below—

Andrias davidianus (otherwise known as Megalo batrachus davidianus)	Chinese giant salamander
Andrias japonicus (otherwise known as Megalobatrachus japonicus)	Japanese giant salamander
Atelopus varius zeteki	Golden frog (otherwise known as Zetek's frog)
Bufo periglenes	Golden toad (otherwise known as Orange toad)
Bufo superciliaris	Cameroon toad
Nectophrynoides	Viviparous toads



**Changes to legislation:** *Wildlife and Countryside Act 1981 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

## FISH

- 5 The kinds of fish specified in the first column below—

<i>Kind</i>	<i>Common name</i>
Acipenser brevirostrum	Shortnose sturgeon
Scleropages formosus	Asiatic bonytongue
Coregonus alpenae	Longjaw cisco
Chasmistes cujus	Cui-ui
Probarbus jullieni	lkan temolek
Pangasianodon gigas	Giant catfish
Stizostedion vitreum glaucum	Blue walleye
Cynoscion macdonaldi	Drum fish

## MOLLUSCS

- 6 The kinds of mollusc specified below—

Conradilla caelata

Dromus dromas

Epioblasma florentina curtisi (otherwise known as Dysnomia florentina curtisi)

Epioblasma florentina florentina (otherwise known as Dysnomia florentina florentina)

Epioblasma sampsoni (otherwise known as Dysnomia sampsoni)

Epioblasma sulcata perobliqua (otherwise known as Dysnomia sulcata perobliqua)

Epioblasma torulosa gubernaculum (Otherwise known as Dysnomia torulosa gubernaculum)

Epioblasma torulosa torulosa (otherwise known as Dysnomia torulosa torulosa)

Epioblasma turgidula (otherwise known as Dysnomia turgidula)

Epioblasma walkeri (otherwise known as Dysnomia walkeri)

Fusconaia cuneolus

Fusconaia edgariana

Lampsilis higginsii

Lampsilis orbiculata orbiculata

---

*Changes to legislation: Wildlife and Countryside Act 1981 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

---

Lampsilis satura

Lampsilis verescens

Plethobasus cicatricosus

Plethobasus cooperianus

Pleurobema plenum

Potamilus capax (otherwise known as Proptera capax)

Quadrula intermedia

Quadrula sparsa

Toxolasma cylindrella (otherwise known as Carunculina cylindrella)

Unio nickliniana (otherwise known as Megaloniaias nickliniana)

Unio tampicoensis tecomatensis (otherwise known as Lampsilis tampicoensis tecomatensis)

Villosa trabalis (otherwise known as Micromya trabalis)

NOTE. The second column of this Schedule gives a common name or names, where available, and is included by way of guidance only ; in the event of any dispute or proceedings, only the first column is to be taken into account.

### PART III

SCHEDULE INSERTED AS SCHEDULE 5

### SCHEDULE 5

PLANTS THE SALE ETC. OF WHICH IS RESTRICTED

This Schedule applies to the kinds of plant specified in the second column below—

<i>Family</i>	<i>Kind</i>
Apocynaceae	Pachypodium namaquanum
Araceae	Alocasia sanderana
Cactaceae	Ariocarpus agavoides
	Ariocarpus scapharostrus
	Aztekium ritteri
	Echinocereus lindsayi

---

**Changes to legislation:** Wildlife and Countryside Act 1981 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

---

	Obregonia denegrii
	Pelecyphora aselliformis
	Pelecyphora strobiliformis
Caryocaraceae	Caryocar costaricense
Caryophyllaceae	Gymnocarpus przewalskii
	Melandrium mongolicus
	Silene mongolica
	Stellaria pulvinata
Cupressaceae	Fitzroya cupressoides
	Pilgerodendron uviferum
Cycadaceae	Mirocycas calocoma
Gentianaceae	Prepusa hookeriana
Humiriaceae	Vantanea barbourii
Juglandaceae	Engelhardtia pterocarpa
Leguminosae	Ammopiptanthus mongolicum
	Cynometra hemitomophylla
	Platymiscium pleiostachyum
	Tachigalia versicolor
Liliaceae	Aloe albida
	Aloe pillansii
	Aloe polyphylla
	Aloe thorncropftii
	Aloe vossii
Melastomataceae	Lavoisiera itambana
Meliaceae	Guarea longipetiola
Moraceae	Batocarpus costaricensis
Nepenthaceae	Nepenthes rajah
Orchidaceae	Cattleya skinneri
	Cattleya trianae
	Didickea cunninghamii
	Laelia jongheana
	Laelia lobata
	Lycaste virginalis var alba
	Peristeria elata
	Renanthera imschootiana

**Changes to legislation:** *Wildlife and Countryside Act 1981 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

	Vanda coerulea
Pinaceae	Abies guatemalensis
	Abies nebrodensis
Podocarpaceae	Podocarpus costalis
	Podocarpus parlatoresi
Proteaceae	Orothamnus zeyheri
	Protea odorata
Rubiaceae	Balmea stormae
Sarraceniaceae	Sarracenia alabamensis alabamensis
	Sarracenia jonesii
	Sarracenia oreophila
Saxifragaceae (otherwise known as Grossulariaceae)	Ribes sardoum
Stangeriaceae	Stangeria eriopus
Ulmaceae	Celtis aetnensis
Welwitschiaceae	Welwitschia bainesii
Zamiaceae	Encephalartos
Zingiberaceae	Hedychium philippinense

## [<sup>F139</sup>SCHEDULE 10A

### DELEGATION OF APPELLATE FUNCTIONS

#### Textual Amendments

**F139** Sch. 10A inserted (30.1.2001) by 2000 c. 37, ss. 75(1), 103(2), Sch. 9 para. 7

#### *Interpretation*

- 1 In this Schedule—
- “appointed person” means a person appointed under section 28F(8) or 28L(10); and
- “appointment”, in the case of any appointed person, means appointment under either of those provisions.

#### *Appointments*

- 2 An appointment under section 28F(8) or 28L(10) must be in writing and—
- (a) may relate to any particular appeal or matter specified in the appointment or to appeals or matters of a description so specified;

---

**Changes to legislation:** *Wildlife and Countryside Act 1981 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

---

- (b) may provide for any function to which it relates to be exercisable by the appointed person either unconditionally or subject to the fulfilment of such conditions as may be specified in the appointment; and
- (c) may, by notice in writing given to the appointed person, be revoked at any time by the Secretary of State in respect of any appeal or matter which has not been determined by the appointed person before that time.

*Powers of appointed person*

- 3 Subject to the provisions of this Schedule, an appointed person shall, in relation to any appeal or matter to which his appointment relates, have the same powers and duties as the Secretary of State, other than—
- (a) any function of making regulations;
  - (b) any function of holding an inquiry or other hearing or of causing an inquiry or other hearing to be held; or
  - (c) any function of appointing a person for the purpose—
    - (i) of enabling persons to appear before and be heard by the person so appointed, or
    - (ii) of referring any question or matter to that person.

*Holding of local inquiries and other hearings by appointed persons*

- 4 (1) If either of the parties to an appeal or matter expresses a wish to appear before and be heard by the appointed person, the appointed person shall give both of them an opportunity of appearing and being heard.
- (2) Whether or not a party to an appeal or matter has asked for an opportunity to appear and be heard, the appointed person—
- (a) may hold a local inquiry or other hearing in connection with the appeal or matter, and
  - (b) shall, if the Secretary of State so directs, hold a local inquiry in connection with the appeal or matter.
- (3) Where an appointed person holds a local inquiry or other hearing by virtue of this Schedule, an assessor may be appointed by the Secretary of State to sit with the appointed person at the inquiry or hearing and advise him on any matters arising, notwithstanding that the appointed person is to determine the appeal or matter.
- (4) Subject to section 28F(10) or 28L(12), the costs of a local inquiry held under this Schedule shall be defrayed by the Secretary of State.

*Revocation of appointments and making of new appointments*

- 5 (1) Where under paragraph 2(c) the appointment of the appointed person is revoked in respect of any appeal or matter, the Secretary of State shall, unless he proposes to determine the appeal or matter himself, appoint another person under section 28F(8) or 28L(10) to determine the appeal or matter instead.
- (2) Where such a new appointment is made, the consideration of the appeal or matter, or any hearing in connection with it, shall be begun afresh.

*Changes to legislation:* Wildlife and Countryside Act 1981 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

(3) Nothing in sub-paragraph (2) shall require any person to be given an opportunity of making fresh representations or modifying or withdrawing any representations already made.

*Certain acts and omissions of appointed persons  
to be treated as those of the Secretary of State*

- 6 (1) Anything done or omitted to be done by an appointed person in, or in connection with, the exercise or purported exercise of any function to which the appointment relates shall be treated for all purposes as done or omitted to be done by the Secretary of State.
- (2) Sub-paragraph (1) shall not apply—
  - (a) for the purposes of so much of any contract made between the Secretary of State and the appointed person as relates to the exercise of the function; or
  - (b) for the purposes of any criminal proceedings brought in respect of anything done or omitted to be done as mentioned in that sub-paragraph.]

SCHEDULE 11

Sections 29 and 34.

PROCEDURE IN CONNECTION WITH CERTAIN ORDERS UNDER PART II

*Coming into operation*

F140 1 .....

**Textual Amendments**

**F140** Sch. 11 (paras. 1-8) repealed (S.) (29.11.2004) by [Nature Conservation \(Scotland\) Act 2004 \(asp 6\)](#) , ss. 57 , 59 , [Sch. 7 para. 4](#) (with transitional provisions and savings in [Sch. 5 Pt. 2 para. 11](#) ); S.S.I. 2004/495 , [art. 2](#)

*Publicity for orders*

F141 2 .....

**Textual Amendments**

**F141** Sch. 11 (paras. 1-8) repealed (S.) (29.11.2004) by [Nature Conservation \(Scotland\) Act 2004 \(asp 6\)](#) , ss. 57 , 59 , [Sch. 7 para. 4](#) (with transitional provisions and savings in [Sch. 5 Pt. 2 para. 11](#) ); S.S.I. 2004/495 , [art. 2](#)

*Unopposed orders*

F142 3 .....

**Changes to legislation:** *Wildlife and Countryside Act 1981 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

**Textual Amendments**

**F142** Sch. 11 (paras. 1-8) repealed (S.) (29.11.2004) by [Nature Conservation \(Scotland\) Act 2004 \(asp 6\)](#) , ss. 57 , 59 , [Sch. 7 para. 4](#) (with transitional provisions and savings in [Sch. 5 Pt. 2 para. 11](#) ) ; S.S.I. 2004/495 , [art. 2](#)

*Opposed orders*

**F143** 4 .....

**Textual Amendments**

**F143** Sch. 11 (paras. 1-8) repealed (S.) (29.11.2004) by [Nature Conservation \(Scotland\) Act 2004 \(asp 6\)](#) , ss. 57 , 59 , [Sch. 7 para. 4](#) (with transitional provisions and savings in [Sch. 5 Pt. 2 para. 11](#) ) ; S.S.I. 2004/495 , [art. 2](#)

*Restriction on power to amend orders or confirm them with modifications*

**F144** 5 .....

**Textual Amendments**

**F144** Sch. 11 (paras. 1-8) repealed (S.) (29.11.2004) by [Nature Conservation \(Scotland\) Act 2004 \(asp 6\)](#) , ss. 57 , 59 , [Sch. 7 para. 4](#) (with transitional provisions and savings in [Sch. 5 Pt. 2 para. 11](#) ) ; S.S.I. 2004/495 , [art. 2](#)

*Notice of final decision on orders*

**F145** 6 .....

**Textual Amendments**

**F145** Sch. 11 (paras. 1-8) repealed (S.) (29.11.2004) by [Nature Conservation \(Scotland\) Act 2004 \(asp 6\)](#) , ss. 57 , 59 , [Sch. 7 para. 4](#) (with transitional provisions and savings in [Sch. 5 Pt. 2 para. 11](#) ) ; S.S.I. 2004/495 , [art. 2](#)

*Proceedings for questioning validity of orders*

**F146** 7 .....

**Textual Amendments**

**F146** Sch. 11 (paras. 1-8) repealed (S.) (29.11.2004) by [Nature Conservation \(Scotland\) Act 2004 \(asp 6\)](#) , ss. 57 , 59 , [Sch. 7 para. 4](#) (with transitional provisions and savings in [Sch. 5 Pt. 2 para. 11](#) ) ; S.S.I. 2004/495 , [art. 2](#)

*Changes to legislation:* Wildlife and Countryside Act 1981 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

*Interpretation*

F147 8 .....

**Textual Amendments**

**F147** Sch. 11 (paras. 1-8) repealed (S.) (29.11.2004) by [Nature Conservation \(Scotland\) Act 2004 \(asp 6\)](#) , ss. 57 , 59 , [Sch. 7 para. 4](#) (with transitional provisions and savings in [Sch. 5 Pt. 2 para. 11](#) ); S.S.I. 2004/495 , [art. 2](#)

F148 SCHEDULE 12

Section 36.

PROCEDURE IN CONNECTION WITH ORDERS UNDER SECTION 36

**Textual Amendments**

**F148** Sch. 12 repealed (E.W.) (12.1.2010 so far as not relating to MCZs in W., 12.12.2014 in so far as not already in force) by [Marine and Coastal Access Act 2009 \(c. 23\)](#) , ss. 146, 321, [324\(2\)\(b\)\(i\)\(4\)](#) , [Sch. 11 para. 2\(2\)\(b\)](#) , [Sch. 22 Pt. 3](#) (with s. 145, [Sch. 12](#) ); S.I. 2014/3088, [art. 2\(b\)\(c\)](#) ; and Sch. 12 repealed (S.) (1.7.2010) by [Marine \(Scotland\) Act 2010 \(asp 5\)](#) , ss. 167, 168(1), [Sch. 4 para. 5\(d\)](#) (with s. 162); S.S.I. 2010/230, [art. 2\(h\)](#)

*Consultation*

F148 1 .....

*Publicity for draft orders*

F148 2 .....

*Unopposed orders*

F148 3 .....

*Opposed orders*

F148 4 .....

*Restriction on power to make orders with modifications*

F148 5 .....

*Local inquiries*

F148 6 .....



---

**Changes to legislation:** *Wildlife and Countryside Act 1981 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

---

*Notice of making of orders*

F148 7 .....

*Proceedings for questioning validity of orders*

F148 8 .....

*Supplemental*

F148 9 .....

F149 SCHEDULE 13

.....

**Textual Amendments**

F149 Sch. 13 repealed (1.10.2006) by [Natural Environment and Rural Communities Act 2006 \(c. 16\)](#) , ss. 105(1)(2) , 107 , Sch. 11 para. 98 , [Sch. 12](#) ; S.I. 2006/2441 , [art. 2](#)

SCHEDULE 14

Section 53.

APPLICATIONS FOR CERTAIN ORDERS UNDER PART III

*Form of applications*

- 1 An application shall be made in the prescribed form and shall be accompanied by—
- (a) a map drawn to the prescribed scale and showing the way or ways to which the application relates; and
  - (b) copies of any documentary evidence (including statements of witnesses) which the applicant wishes to adduce in support of the application.

*Notice of applications*

- 2 (1) Subject to sub-paragraph (2), the applicant shall serve a notice stating that the application has been made on every owner and occupier of any land to which the application relates.
- (2) If, after reasonable inquiry has been made, the authority are satisfied that it is not practicable to ascertain the name or address of an owner or occupier of any land to which the application relates, the authority may direct that the notice required to be served on him by sub-paragraph (1) may be served by addressing it to him by the description “owner” or “occupier” of the land (describing it) and by affixing it to some conspicuous object or objects on the land.
- (3) When the requirements of this paragraph have been complied with, the applicant shall certify that fact to the authority.

*Changes to legislation: Wildlife and Countryside Act 1981 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

- (4) Every notice or certificate under this paragraph shall be in the prescribed form.

*Determination by authority*

- 3 (1) As soon as reasonably practicable after receiving a certificate under paragraph 2(3), the authority shall—
- (a) investigate the matters stated in the application; and
  - (b) after consulting with every local authority whose area includes the land to which the application relates, decide whether to make or not to make the order to which the application relates.
- (2) If the authority have not determined the application within twelve months of their receiving a certificate under paragraph 2(3), then, on the applicant making representations to the Secretary of State, the Secretary of State may, after consulting with the authority, direct the authority to determine the application before the expiration of such period as may be specified in the direction.
- (3) As soon as practicable after determining the application, the authority shall give notice of their decision by serving a copy of it on the applicant and any person on whom notice of the application was required to be served under paragraph 2(1).

*Appeal against a decision not to make an order*

- 4 (1) Where the authority decide not to make an order, the applicant may, at any time within 28 days after service on him of notice of the decision, serve notice of appeal against that decision on the Secretary of State and the authority.
- (2) If on considering the appeal the Secretary of State considers that an order should be made, he shall give to the authority such directions as appear to him necessary for the purpose [F150 (which may include a direction as to the time within which an order is to be made)].

**Textual Amendments**

**F150** Words in Sch. 14 para. 4(2) inserted (E.W.) (13.2.2004 for E. and 31.5.2005 for W.) by 2000 c. 37, ss. 51, 103(3), Sch. 5 Pt. I para. 10; S.I. 2004/292, art. 2; S.I. 2005/1314, art. 2(a)

*Interpretation*

- 5 (1) In this Schedule—
- “ application ” means an application under section 53(5);
- “ local authority ” means [F151 a non-metropolitan district council ], a parish [F152 . . . council or the parish meeting of a parish not having a separate parish council [F153 but, in relation to Wales, means a community council ] ;
- “ prescribed ” means prescribed by regulations made by the Secretary of State.
- (2) Regulations under this Schedule shall be made by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament.

**Changes to legislation:** *Wildlife and Countryside Act 1981 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

### Textual Amendments

- F151** Words substituted by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), ss. 1, 2, 7, [Sch. 3 para. 7\(8\)](#)
- F152** Words in Sch. 14 para. 5(1) repealed (1.4.1996) by 1994 c. 19, s. 66(6)(8), [Sch. 16 para. 65\(11\)](#), [Sch. 18](#) (with ss. 54(5)(7), 55(5), [Sch. 17 paras. 22\(1\), 23\(2\)](#)); S.I. 1996/396, art. 4, [Sch. 2](#)
- F153** Words in Sch. 14 para. 5(1) added (1.4.1996) by 1994 c. 19, s. 66(6), [Sch. 16 para. 65\(11\)](#) (with ss. 54(5)(7), 55(5), [Sch. 17 paras. 22\(1\), 23\(2\)](#)); S.I. 1996/396, art. 4, [Sch. 2](#)

## SCHEDULE 15

Sections 53 and 54.

### PROCEDURE IN CONNECTION WITH CERTAIN ORDERS UNDER PART III

#### *Consultation*

- 1 Before making an order, the authority shall consult with every local authority whose area includes the land to which the order relates.

#### *Coming into operation*

- 2 An order shall not take effect until confirmed either by the authority or the Secretary of State under paragraph 6 or by the Secretary of State under paragraph 7.

#### *Publicity for orders*

- 3 (1) On making an order, the authority shall give notice in the prescribed form—
- (a) describing the general effect of the order and stating that it has been made and requires confirmation;
  - (b) naming a place in the area in which the land to which the order relates is situated where a copy of the order may be inspected free of charge, and copies thereof may be obtained at a reasonable charge, at all reasonable hours; and
  - (c) specifying the time (not being less than 42 days from the date of the first publication of the notice) within which, and the manner in which, representations or objections with respect to the order [<sup>F154</sup>, which must include particulars of the grounds relied on,] may be made.
- (2) Subject to sub-paragraph (4), the notice to be given under sub-paragraph (1) shall be given—
- (a) by publication in at least one local newspaper circulating in the area in which the land to which the order relates is situated;
  - (b) by serving a like notice on—
    - (i) every owner and occupier of any of that land;
    - (ii) every local authority whose area includes any of that land;
    - (iii) every person on whom notice is required to be served in pursuance of sub-paragraph (3); and
    - (iv) such other persons as may be prescribed in relation to the area in which that land is situated or as the authority may consider appropriate; and

---

*Changes to legislation: Wildlife and Countryside Act 1981 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

---

- (c) by causing a copy of the notice to be displayed in a prominent position—
- (i) at the ends of so much of any way as is affected by the order;
  - (ii) at council offices in the locality of the land to which the order relates;
- and
- (iii) at such other places as the authority may consider appropriate.
- (3) Any person may, on payment of such reasonable charge as the authority may consider appropriate, require an authority to give him notice of all such orders as are made by the authority during a specified period, are of a specified description and relate to land comprised in a specified area; and in this sub-paragraph “specified” means specified in the requirement.
- (4) The Secretary of State may, in any particular case, direct that it shall not be necessary to comply with sub-paragraph (2)(b)(i); but if he so directs in the case of any land, then in addition to publication the notice shall be addressed to “The owners and any occupiers” of the land (describing it) and a copy or copies of the notice shall be affixed to some conspicuous object or objects on the land.
- (5) Sub-paragraph (2)(b) and (c) and, where applicable, sub-paragraph (4) shall be complied with not less than 42 days before the expiration of the time specified in the notice.
- (6) A notice required to be served by sub-paragraph (2)(b) on the owner or occupier of any land, or on a local authority, shall be accompanied by a copy of so much of the order as relates to that land or, as the case may be, the area of that authority; and a notice required to be served by that sub-paragraph on such other persons as may be prescribed or as the authority may consider appropriate shall be accompanied by a copy of the order.
- (7) A notice required to be displayed by sub-paragraph (2)(c) at the ends of so much of any way as is affected by the order shall be accompanied by a plan showing the general effect of the order so far as it relates to that way.
- (8) At any time after the publication of a notice under this paragraph and before the expiration of the period specified in the notice for the making of representations and objections, any person may require the authority to inform him what documents (if any) were taken into account in preparing the order and—
- (a) as respects any such documents in the possession of the authority, to permit him to inspect them and take copies; and
  - (b) as respects any such documents not in their possession, to give him any information the authority have as to where the documents can be inspected;
- and on any requirement being made under this sub-paragraph the authority shall comply therewith within 14 days of the making of the requirement.
- (9) Nothing in sub-paragraph [F155(1)(c) or] (8) shall be construed as limiting [F156the grounds which may be relied on or] the documentary or other evidence which may be adduced at any local inquiry or hearing held under paragraph 7 or 8.

#### **Textual Amendments**

**F154** Words in Sch. 15 para. 3(1)(c) inserted (E.W.) (13.2.2004 for E. (exception noted in art. 3(1) of commencement order) and 31.5.2005 for W. and 27.9.2005 otherwise for E.) by 2000 c. 37 , ss. 51 ,

**Changes to legislation:** *Wildlife and Countryside Act 1981 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

103(3) , Sch. 5 Pt. I para. 11(2) ; S.I. 2004/292 , **art. 2** (with savings in art. 3(1) ); S.I. 2005/1314 , **art. 2(a)** ; S.I. 2005/2459 , **art. 2(2)(b)(iii)**

**F155** Words in Sch. 15 para. 3(9) inserted (E.W.) (13.2.2004 for E. (exception noted in art. 3(1) of commencement order) and 31.5.2005 for W. and 27.9.2005 otherwise for E.) by 2000 c. 37 , ss. 51 , 103(3) , Sch. 5 Pt. I para. 11(3)(a) ; S.I. 2004/292 , **art. 2** (with savings in art. 3(1) ); S.I. 2005/1314 , **art. 2(a)** ; S.I. 2005/2459 , **art. 2(2)(b)(iii)**

**F156** Words in Sch. 15 para. 3(9) inserted (E.W.) (13.2.2004 for E. (exception noted in art. 3(1) of commencement order) and 31.5.2005 for W. and 27.9.2005 otherwise for E.) by 2000 c. 37 , ss. 51 , 103(3) , Sch. 5 Pt. I para. 11(3)(b) ; S.I. 2004/292 , **art. 2** (with savings in art. 3(1) ); S.I. 2005/1314 , **art. 2(a)** ; S.I. 2005/2459 , **art. 2(2)(b)(iii)**

#### *Representations or objections made with respect to abandoned surveys or reviews*

- 4 (1) This paragraph applies where a survey begun under sections 27 to 32 of the 1949 Act, or a review begun under section 33 of that Act, is abandoned after a draft map and statement have been prepared.
- (2) If an order modifies the definitive map and statement so as—
- (a) to show any particulars shown in the draft map and statement but not in the definitive map and statement; or
  - (b) to omit any particulars shown in the definitive map and statement but not in the draft map and statement,
- any representation or objection duly made with respect to the showing in or omission from the draft map and statement of those particulars shall be treated for the purposes of paragraphs 6 and 7 as a representation or objection duly made with respect to the corresponding modifications made by the order.

#### *Severance of orders*

- 5 (1) Where at any time representations or objections duly made and not withdrawn relate to some but not all of the modifications made by an order, the authority may, by notice given to the Secretary of State, elect that, for the purposes of the following provisions of this Schedule, the order shall have effect as two separate orders—
- (a) the one comprising the modifications to which the representations or objections relate; and
  - (b) the other comprising the remaining modifications.
- (2) Any reference in sub-paragraph (1) to an order includes a reference to any part of an order which, by virtue of one or more previous elections under that sub-paragraph, has effect as a separate order.

#### *Unopposed orders*

- 6 (1) If no representations or objections are duly made, or if any so made are withdrawn, the authority may—
- (a) confirm the order without modification; or
  - (b) if they require any modification to be made, submit the order to the Secretary of State for confirmation by him.
- (2) Where an order is submitted to the Secretary of State under sub-paragraph (1), the Secretary of State may confirm the order with or without modifications.

---

*Changes to legislation: Wildlife and Countryside Act 1981 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

---

*Opposed orders*

- 7 (1) If any representation or objection duly made is not withdrawn the authority shall submit the order to the Secretary of State for confirmation by him.
- (2) Where an order is submitted to the Secretary of State under sub-paragraph (1), the Secretary of State shall [<sup>F157</sup>, subject to sub-paragraph (2A),] either—
- (a) cause a local inquiry to be held; or
  - (b) afford any person by whom a representation or objection has been duly made and not withdrawn an opportunity of being heard by a person appointed by the Secretary of State for the purpose.
- [<sup>F158</sup>(2A) The Secretary of State may, but need not, act as mentioned in sub-paragraph (2)(a) or (b) if, in his opinion, no representation or objection which has been duly made and not withdrawn relates to an issue which would be relevant in determining whether or not to confirm the order, either with or without modifications.]
- (3) On considering any representations or objections duly made and the report of [<sup>F159</sup>any person appointed to hold an inquiry] or hear representations or objections, the Secretary of State may confirm the order with or without modifications.

*Restriction on power to confirm orders with modifications*

- 8 (1) The Secretary of State shall not confirm an order with modifications so as—
- (a) to affect land not affected by the order;
  - (b) not to show any way shown in the order or to show any way not so shown; or
  - (c) to show as a highway of one description a way which is shown in the order as a highway of another description,
- except after complying with the requirements of sub-paragraph (2).
- (2) The said requirements are that the Secretary of State shall—
- (a) give such notice as appears to him requisite of his proposal so to modify the order, specifying the time (which shall not be less than 28 days from the date of the first publication of the notice) within which, and the manner in which, representations or objections with respect to the proposal [<sup>F160</sup>, which must include particulars of the grounds relied on,] may be made;
  - [<sup>F161</sup>(b) if any representation or objection duly made is not withdrawn (but subject to sub-paragraph (3)), hold a local inquiry or afford any person by whom any such representation or objection has been made an opportunity of being heard by a person appointed by the Secretary of State for the purpose; and
  - (c) consider the report of any person appointed to hold an inquiry or to hear representations or objections.
- (3) The Secretary of State may, but need not, act as mentioned in sub-paragraph (2)(b) if, in his opinion, no representation or objection which has been duly made and not withdrawn relates to an issue which would be relevant in determining whether or not to confirm the order in accordance with his proposal.
- (4) Sub-paragraph (2)(a) shall not be construed as limiting the grounds which may be relied on at any local inquiry or hearing held under this paragraph.]

**Changes to legislation:** *Wildlife and Countryside Act 1981 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

### *Local inquiries*

F162 9 .....

#### **Textual Amendments**

**F162** Sch. 15 para. 9 omitted (E.W.) (13.2.2004 for E. (exception noted in art. 3(1) of commencement order) and 31.5.2005 for W. and 27.9.2005 otherwise for E.) by virtue of 2000 c. 37 , ss. 51 , 103(3) , Sch. 5 Pt. I para. 11(8) and repealed (6.12.2006 for W. and otherwise prosp.) by 2000 c. 37 , ss. 102 , 103(3) , Sch. 16 Pt. II ; S.I. 2004/292 , art. 2(d)(iii) (with savings in art. 3(1) ); S.I. 2005/1314 , art. 2(a)(iii) ; S.I. 2005/2459 , art. 2(2)(b)(iii) ; S.I. 2006/3257 , art. 2

### *Appointment of inspectors etc.*

- 10 (1) A decision of the Secretary of State under paragraph 6, 7 or 8 shall, except in such classes of case as may for the time being be prescribed or as may be specified in directions given by the Secretary of State, be made by a person appointed by the Secretary of State for the purpose instead of by the Secretary of State; and a decision made by a person so appointed shall be treated as a decision of the Secretary of State.
- (2) The Secretary of State may, if he thinks fit, direct that a decision which, by virtue of sub-paragraph (1) and apart from this sub-paragraph, falls to be made by a person appointed by the Secretary of State shall instead be made by the Secretary of State; and a direction under this sub-paragraph shall state the reasons for which it is given and shall be served on the person, if any, so appointed, the authority and any person by whom a representation or objection has been duly made and not withdrawn.
- (3) Where the Secretary of State has appointed a person to make a decision under paragraph 6, 7 or 8 the Secretary of State may, at any time before the making of the decision, appoint another person to make it instead of the person first appointed to make it.
- (4) Where by virtue of sub-paragraph (2) or (3) a particular decision falls to be made by the Secretary of State or any other person instead of the person first appointed to make it, anything done by or in relation to the latter shall be treated as having been done by or in relation to the former.
- (5) Regulations under this paragraph may provide for the giving of publicity to any directions given by the Secretary of State under this paragraph.

### *[<sup>F163</sup> Hearings and local inquiries]*

#### **Textual Amendments**

**F163** Sch. 15 para. 10A and cross-heading inserted (13.2.2004 for E. (exception noted in art. 3(1) of commencement order) and 31.5.2005 for W. and 27.9.2005 otherwise for E.) by 2000 c. 37 , ss. 51 , 103(3) , Sch. 5 Pt. I para. 11(8) ; S.I. 2004/292 , art. 2 (with savings in art. 3(1) ); S.I. 2005/1314 , {art.2(a)}; S.I. 2005/2459 , art. 2(2)(b)(iii)

- [<sup>F164</sup>10A) Subject to sub-paragraph (2), subsections (2) to (5) of section 250 of the <sup>M6</sup> Local Government Act 1972 (giving of evidence at, and defraying of costs of, inquiries) shall apply in relation to any hearing or local inquiry held under paragraph 7 or 8

**Changes to legislation:** Wildlife and Countryside Act 1981 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

[<sup>F165</sup>in England] as they apply in relation to a local inquiry which a Minister causes to be held under subsection (1) of that section.

(2) In its application to a hearing or inquiry held under paragraph 7 or 8 by a person appointed under paragraph 10(1), subsection (5) of that section shall have effect as if the reference to the Minister causing the inquiry to be held were a reference to the person so appointed or the Secretary of State.

(3) Section 322A of the <sup>M7</sup> Town and Country Planning Act 1990 (orders as to costs where no hearing or inquiry takes place) shall apply in relation to a hearing or local inquiry under paragraph 7 or 8 [<sup>F166</sup>in England] as it applies in relation to a hearing or local inquiry for the purposes referred to in that section.

[ Section 322C of the Town and Country Planning Act 1990 (costs: Wales) applies <sup>F167</sup>(4) in relation to a hearing or inquiry under paragraph 7 or 8 in Wales as it applies in relation to a hearing or inquiry mentioned in that section.]]

#### Textual Amendments

**F164** Sch. 15 para. 10A and cross-heading inserted (13.2.2004 for E. (exception noted in art. 3(1) of commencement order) and 31.5.2005 for W. and 27.9.2005 otherwise for E.) by 2000 c. 37 , ss. 51 , 103(3) , Sch. 5 Pt. I para. 11(8) ; S.I. 2004/292 , art. 2 (with savings in art. 3(1) ); S.I. 2005/1314 , {art.2(a)}; S.I. 2005/2459 , art. 2(2)(b)(iii)

**F165** Words in Sch. 15 para. 10A(1) inserted (6.9.2015 for specified purposes, 1.3.2016 in so far as not already in force) by Planning (Wales) Act 2015 (anaw 4), s. 58(2)(b)(4)(b), Sch. 5 para. 7(a); S.I. 2016/52, art. 4(a) (with art. 17)

**F166** Words in Sch. 15 para. 10A(3) inserted (6.9.2015 for specified purposes, 1.3.2016 in so far as not already in force) by Planning (Wales) Act 2015 (anaw 4), s. 58(2)(b)(4)(b), Sch. 5 para. 7(b); S.I. 2016/52, art. 4(a) (with art. 17)

**F167** Sch. 15 para. 10A(4) inserted (6.9.2015 for specified purposes, 1.3.2016 in so far as not already in force) by Planning (Wales) Act 2015 (anaw 4), s. 58(2)(b)(4)(b), Sch. 5 para. 7(c); S.I. 2016/52, art. 4(a) (with art. 17)

#### Marginal Citations

**M6** 1972 c. 70 .

**M7** 1990 c. 8 .

#### Notice of final decisions on orders

- 11 (1) As soon as practicable after a decision to confirm an order is made or, in the case of a decision by the Secretary of State, as soon as practicable after receiving notice of his decision, the authority shall give notice—
- (a) describing the general effect of the order as confirmed and stating that it has been confirmed (with or without modification) and the date on which it took effect; and
  - (b) naming a place in the area in which the land to which the order relates is situated where a copy of the order as confirmed may be inspected free of charge, and copies thereof may be obtained at a reasonable charge, at all reasonable hours.
- (2) A notice under sub-paragraph (1) shall be given—
- (a) by publication in the manner required by paragraph 3(2)(a);



---

**Changes to legislation:** *Wildlife and Countryside Act 1981 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

---

- (b) by serving a like notice on any persons on whom notices were required to be served under paragraph 3(2)(b) or (4); and
  - (c) by causing like notices to be displayed in the like manner as the notices required to be displayed under paragraph 3(2)(c).
- (3) A notice required to be served by sub-paragraph (2)(b) on the owner or occupier of any land, or on a local authority, shall be accompanied by a copy of so much of the order as confirmed as relates to that land or, as the case may be, the area of that authority; and, in the case of an order which has been confirmed with modifications, a notice required to be served by that sub-paragraph on such other persons as may be prescribed or as the authority may consider appropriate shall be accompanied by a copy of the order as confirmed.
- (4) As soon as practicable after a decision not to confirm an order or, in the case of a decision by the Secretary of State, as soon as practicable after receiving notice of his decision, the authority shall give notice of the decision by serving a copy of it on any persons on whom notices were required to be served under paragraph 3(2)(b) or (4).

#### *Proceedings for questioning validity of orders*

- 12 (1) If any person is aggrieved by an order which has taken effect and desires to question its validity on the ground that it is not within the powers of section 53 or 54 or that any of the requirements of this Schedule have not been complied with in relation to it, he may within 42 days from the date of publication of the notice under paragraph 11 make an application to the High Court under this paragraph.
- (2) On any such application the High Court may, if satisfied that the order is not within those powers or that the interests of the applicant have been substantially prejudiced by a failure to comply with those requirements, quash the order, or any provision of the order, either generally or in so far as it affects the interests of the applicant.
- (3) Except as provided by this paragraph, the validity of an order shall not be questioned in any legal proceedings whatsoever.

#### *Supplemental*

- 13 (1) The Secretary of State may, subject to the provisions of this Schedule, by regulations make such provision as to the procedure on the making, submission and confirmation of orders as appears to him to be expedient.
- (2) In this Schedule—
- “ council offices ” means offices or buildings acquired or provided by the authority or by a local authority;
  - “ local authority ” means [<sup>F168</sup> a non-metropolitan district council ] , a parish <sup>F169</sup> . . . council or the parish meeting of a parish not having a separate parish council [<sup>F170</sup> but, in relation to Wales, means a community council ] ;
  - “ order ” means an order to which the provisions of this Schedule apply;
  - “ prescribed ” means prescribed by regulations made by the Secretary of State.
- (3) Regulations under this Schedule shall be made by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament.

**Changes to legislation:** *Wildlife and Countryside Act 1981 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

**Textual Amendments**

**F168** Words substituted by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#) , ss. 1 , 2 , 7 , **Sch. 3 para. 7(8)**

**F169** Words in Sch. 15 para. 13(2) repealed (1.4.1996) by 1994 c. 19 , s. 66(6)(8) , Sch. 16 para. 65(12) , **Sch. 18** (with ss. 54(5)(7) , 55(5) , Sch. 17 paras. 22(1) , 23(2) ) ; S.I. 1996/396 , art. 4 , **Sch. 2**

**F170** Words in Sch. 15 para. 13(2) added (1.4.1996) by 1994 c. 19 , s. 66(6) , **Sch. 16 para. 65(12)** (with ss. 54(5)(7) , 55(5) , Sch. 17 paras. 22(1) , 23(2) ) ; S.I. 1996/396 , art. 4 , **Sch. 2**

X7 SCHEDULE 16

Section 63.

ORDERS CREATING, EXTINGUISHING OR DIVERTING FOOTPATHS OR BRIDLEWAYS

**Editorial Information**

**X7** The text of Sch. 16 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

**F171** 1 — .....  
 4.

**Textual Amendments**

**F171** Sch. 16 paras. 1–4 repealed by [Planning \(Consequential Provisions\) Act 1990 \(c. 11, SIF 123:1, 2\)](#) , ss. 3 , 5 , **Sch. 1 Pt. 1** , Sch. 3

*The Highways Act 1980*

- 5 (1) In subsection (1) of section 119 of the Highways Act 1980 (diversion of footpaths and bridleways) for the words from the beginning to “or on to land” there shall be substituted the words “Where it appears to a council as respects a footpath or bridleway in their area (other than one that is a trunk road or a special road) that, in the interests of the owner, lessee or occupier of land crossed by the path or way or of the public, it is expedient that the line of the path or way, or part of that line, should be diverted (whether on to land of the same or”.
- (2) In subsection (5) of that section for the words “the council may require the owner, lessee or occupier on whose representations they are acting” there shall be substituted the words “on the representations of an owner, lessee or occupier of land crossed by the path or way, the council may require him”.
- 6 (1) In sub-paragraphs (1)(b) and 2(b) of paragraph I of Schedule 6 to that Act (procedure as to certain orders relating to footpaths and bridleways) after the words “free of charge” there shall be inserted the words “and copies thereof may be obtained at a reasonable charge”.
- (2) For sub-paragraph (3) of that paragraph there shall be substituted the following sub-paragraph—
- “(3) The notices to be given under sub-paragraph (1) or (2) above shall be given—

---

**Changes to legislation:** *Wildlife and Countryside Act 1981 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

---

- (a) by publication in at least one local newspaper circulating in the area in which the land to which the order relates is situated ;
  - (b) by serving a like notice on—
    - (i) every owner, occupier and lessee (except tenants for a month or any period less than a month and statutory tenants within the meaning of the Rent (Agriculture) Act 1976 or the Rent Act 1977) of any of that land ;
    - (ii) every council, the council of every parish or community and the parish meeting of every parish not having a separate parish council, being a council, parish or community whose area includes any of that land ;
    - (iii) every person on whom notice is required to be served in pursuance of sub-paragraph (3A) or (3B) below ; and
    - (iv) such other persons as may be prescribed in relation to the area in which that land is situated or as the authority or, as the case may be, the Secretary of State may consider appropriate ; and
  - (c) by causing a copy of the notice to be displayed in a prominent position—
    - (i) at the ends of so much of any footpath or bridleway as is created, stopped up or diverted by the order ;
    - (ii) at council offices in the locality of the land to which the order relates ; and
    - (iii) at such other places as the authority or, as the case may be, the Secretary of State may consider appropriate.”
- (3) After that sub-paragraph there shall be inserted the following sub-paragraphs—
- “(3A) Any person may, on payment of such reasonable charge as the authority may consider appropriate, require an authority to give him notice of all such public path creation orders, public path extinguishment orders and public path diversion orders as are made by the authority during a specified period, are of a specified description and relate to land comprised in a specified area ; and in this sub-paragraph “ specified ” means specified in the requirement.
  - (3B) Any person may, on payment of such reasonable charge as the Secretary of State may consider appropriate, require the Secretary of State to give him notice of all such draft public path creation orders, draft public path extinguishment orders and draft public path diversion orders as are prepared by the Secretary of State during a specified period, are of a specified description and relate to land comprised in a specified area ; and in this sub-paragraph “ specified ” means specified in the requirement.
  - (3C) The Secretary of State may, in any particular case, direct that it shall not be necessary to comply with sub- paragraph (3)(b)(i) above ; but if he so directs in the case of any land, then in addition to publication the notice shall be addressed to “The owners and any occupiers” of the land (describing it) and a copy or copies of the notice shall be affixed to some conspicuous object or objects on the land.”
- (4) After sub-paragraph (4) of that paragraph there shall be inserted the following sub-paragraphs—

---

**Changes to legislation:** *Wildlife and Countryside Act 1981 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

---

- “(4A) Sub-paragraph (3)(b) and (c) and, where applicable, sub-paragraphs (3C) and (4) above shall be complied with not less than 28 days before the expiration of the time specified in the notice.
- (4B) A notice required to be served by sub-paragraph (3)(b)(i), (ii) or (iv) above shall be accompanied by a copy of the order.
- (4C) A notice required to be displayed by sub-paragraph (3)(c)(i) above at the ends of so much of any way as is affected by the order shall be accompanied by a plan showing the general effect of the order so far as it relates to that way.
- (4D) In sub-paragraph (3)(c)(ii) above “council offices” means offices or buildings acquired or provided by a council or by the council of a parish or community or the parish meeting of a parish not having a separate parish council.”

7 After paragraph 2 of that Schedule there shall be inserted the following paragraph—

- “(2A) (1) A decision of the Secretary of State under paragraph 2 above as respects an order made by an authority other than the Secretary of State shall, except in such classes of case as may for the time being be prescribed or as may be specified in directions given by the Secretary of State, be made by a person appointed by the Secretary of State for the purpose instead of by the Secretary of State ; and a decision made by a person so appointed shall be treated as a decision of the Secretary of State.
- (2) The Secretary of State may, if he thinks fit, direct that a decision which, by virtue of sub-paragraph (1) above and apart from this sub-paragraph, falls to be made by a person appointed by the Secretary of State shall instead be made by the Secretary of State; and a direction under this sub-paragraph shall state the reasons for which it is given and shall be served on the person, if any, so appointed, the authority and any person by whom a representation or objection has been duly made and not withdrawn.
- (3) Where the Secretary of State has appointed a person to make a decision under paragraph 2 above the Secretary of State may, at any time before the making of the decision, appoint another person to make it instead of the person first appointed to make it.
- (4) Where by virtue of sub-paragraph (2) or (3) above a particular decision falls to be made by the Secretary of State or any other person instead of the person first appointed to make it, anything done by or in relation to the latter shall be treated as having been done by or in relation to the former.
- (5) Provision may be made by regulations of the Secretary of State for the giving of publicity to any directions given by the Secretary of State under this paragraph.”

8 (1) In paragraph 4 of that Schedule after the words “free of charge” there shall be inserted the words “and copies thereof may be obtained at a reasonable charge” and for heads (a) and (b) there shall be substituted the following heads—

- “(a) serve a like notice on any persons on whom notices were required to be served under paragraph 1(3)(b), (3C) or (4) above ; and
- (b) cause like notices to be displayed in the like manner as the notices caused to be displayed under paragraph 1(3)(c) above;”.

---

**Changes to legislation:** *Wildlife and Countryside Act 1981 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

---

- (2) That paragraph as so amended shall be renumbered as paragraph 4(1) of that Schedule and after that provision as so renumbered there shall be inserted the following sub-paragraphs—
- “(2) A notice required to be served by sub-paragraph (1)(a) above, on—
- (a) a person on whom notice was required to be served by paragraph 1(3)(b)(i) or (ii) above, or
  - (b) in the case of an order which has been confirmed or made with modifications, a person on whom notice was required to be served by paragraph 1(3)(b)(iv) above,
- shall be accompanied by a copy of the order as confirmed or made.
- (3) As soon as may be after a decision not to confirm an order to which this Schedule applies, the authority by whom the order was made shall give notice of the decision by serving a copy of it on any persons on whom notices were required to be served under paragraph 1(3)(b), (3C) or (4) above.”
- 9 After that paragraph there shall be inserted the following paragraph—
- “(4A) As soon as may be after an order to which this Schedule applies has come into operation otherwise than—
- (a) on the date on which it was confirmed or made by the Secretary of State or confirmed as an unopposed order; or
  - (b) at the expiration of a specified period beginning with that date,
- the authority by whom the order was made or, in the case of an order made by the Secretary of State, the Secretary of State shall give notice of its coming into operation by publication in at least one local newspaper circulating in the area in which the land to which the order relates is situated.”

*Supplemental*

- 10 (1) The amendments made by the foregoing provisions of this Schedule shall not apply in relation to any order if it was made or a draft thereof was prepared, or a notice relating to it was given under paragraph 1 of the relevant Schedule, before the commencement date.
- (2) Any reference in this paragraph to Schedule 6 to the <sup>M8</sup> Highways Act 1980 includes a reference to that Schedule as applied by paragraph 3 of the provisions of Part I of Schedule 3 to the 1968 Act which relate to the <sup>M9</sup> Acquisition of Land (Authorisation Procedure) Act 1946.

**Marginal Citations**

- M8** 1980 c. 66 .  
**M9** 1946 c. 49 .

**Changes to legislation:** *Wildlife and Countryside Act 1981 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

X<sup>8</sup>SCHEDULE 17

Section 73.

## ENACTMENTS REPEALED

**Editorial Information**

**X8** The text of Sch. 17 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

**PART I**

## ENACTMENTS REPEALED ONE MONTH AFTER THE PASSING OF THIS ACT

<b>Chapter</b>	<b>Short title</b>	<b>Extent of repeal</b>
12, 13 & 14 Geo. 6. c. 97.	The National Parks and Access to the Countryside Act 1949.	Section 23.
1968 c. 41.	The Countryside Act 1968.	Section 14.  In section 15(1) the words “which is not for the time being managed as a nature reserve but”.
1973 c. 37.	The Water Act 1973.	In section 22(3) the words “not being land for the time being managed as a nature reserve”.
1973 c. 54.	The Nature Conservancy Council Act 1973.	Section 3.
1973 c. 65.	The Local Government (Scotland) Act 1973.	In Schedule 27, in Part II, paragraph 101.
1980 c. 66.	The Highways Act 1980.	In section 134, subsection (3) and in subsection (5) the words “(3) or”.  In section 135(1), the words “6 or” and “6 weeks or”.

**PART II**

## ENACTMENTS REPEALED ON A DAY TO BE APPOINTED

<b>Chapter</b>	<b>Short title</b>	<b>Extent of repeal</b>
2 & 3 Geo. 5. c. 14	The Protection of Animals (Scotland) Act 1912.	In section 9 the words “or any snare” and “or snare”.

---

**Changes to legislation:** *Wildlife and Countryside Act 1981 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

---

12, 13 & 14 Geo. 6. c. 97.	The National Parks and Access to the Countryside Act 1949.	Sections 2 and 4.  Sections 27 to 35. Section 38. Section 95.
2 & 3 Eliz. 2. c. 30.	The Protection of Birds Act 1954.	The whole Act.
1963 c. 33.	The London Government Act 1963.	In section 60, subsections (1) to (4).
1963 c. 36	The Deer Act 1963.	In Schedule 2, in paragraph 1 the words “of less gauge than 12 bore” and in paragraph 4 the words from “other than” onwards.
1964 c. 59.	The Protection of Birds Act 1954 (Amendment) Act 1964.	The whole Act.
1967 c. 46.	The Protection of Birds Act 1967.	The whole Act.
1968 c. 41.	The Countryside Act 1968.	In section 1, subsection (4) and, in subsection (5), the words “and 2(1)” and the words “and in section 4(1)” onwards. Section 3. In Schedule 3, in Part I, the entry relating to the National Parks and Access to the Countryside Act 1949, and Parts II, III and IV.
1970 c. 30.	The Conservation of Seals Act 1970.	In section 10(1)(c), the word “or” immediately following sub-paragraph (ii).
1971 c. 23.	The Courts Act 1971.	In Schedule 8, paragraph 31. In Schedule 9, in Part II, the entry relating to section 31 of the National Parks and Access to the Countryside Act 1949.
1971 c. 78.	The Town and Country Planning Act 1971.	In Schedule 20, in paragraph 1(2)(a), the words “in the London Gazette and”.

---

**Changes to legislation:** *Wildlife and Countryside Act 1981 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

---

1972 c. 70.	The Local Government Act 1972.	In Schedule 17, paragraphs 22 to 33.  In Schedule 29, paragraph 37.
1973 c. 37.	The Water Act 1973.	In Schedule 8, paragraph 67.
1973 c. 54.	The Nature Conservancy Council Act 1973.	In section 5(3) the words from the beginning to “save as aforesaid”.
1973 c. 57.	The Badgers Act 1973.	Sections 6 and 7.  Section 8(2)(c).  In section 11, the definitions of “area of special protection” and “authorised person”.
1973 c. 65.	The Local Government (Scotland) Act 1973.	In Schedule 27, in Part II, paragraphs 115 and 168.
1975 c. 21.	The Criminal Procedure (Scotland) Act 1975.	In Schedule 7C, the entries relating to the Protection of Birds Act 1954 and the Conservation of Wild Creatures and Wild Plants Act 1975.
1975 c. 48.	The Conservation of Wild Creatures and Wild Plants Act 1975.	The whole Act.
1976 c. 16.	The Statute Law (Repeals) Act 1976.	In Schedule 2, in Part II, the entry relating to the Protection of Birds Act 1967.
1976 c. 72.	The Endangered Species (Import and Export) Act 1976.	Section 13(6).
1977 c. 45.	The Criminal Law Act 1977.	In Schedule 6, the entries relating to the Protection of Birds Act 1954 and the Conservation of Wild Creatures and Wild Plants Act 1975.
1979 c. 2.	The Customs and Excise Management Act 1979.	In Schedule 4, in paragraph 12, in the Table the entry relating to the Protection of Birds Act 1954.
1980 c. 66.	The Highways Act 1980.	In section 31(10) the words “or of that subsection” onwards.  Section 340(2)(d).
1981 c. 22.	The Animal Health Act 1981.	In Schedule 5, paragraph 1.





**Changes to legislation:**

Wildlife and Countryside Act 1981 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

**Changes and effects yet to be applied to :**

- s. 28E excluded by [S.I. 2020/1297 art. 3\(1\)\(a\)](#) (This amendment not applied to legislation.gov.uk. S.I. 2020/1297 was withdrawn following a request from the Department of Transport dated 9th August 2021 which followed the decision of the High Court of Justice to quash this Order in the judgement dated 2nd August 2021 (High Court of Justice — Planning Court — The Queen (on the application of Save Stonehenge World Heritage Site) v. Secretary of State for Transport — Case No. CO/4844/2020))
- s. 53(3)(c)(i) words omitted by [2015 c. 20 Sch. 7 para. 2\(a\)](#)
- s. 53(5) words substituted by [2015 c. 20 Sch. 7 para. 10\(a\)](#)
- s. 53(6) words substituted by [2015 c. 20 Sch. 7 para. 10\(b\)](#)
- s. 54A inserted by [2000 c. 37 Sch. 5 para. 4](#)
- Sch. 7 word substituted by [2011 asp 6 s. 11\(4\)\(b\)](#) (Effect not applied to legislation.gov.uk. The text of the section reference is not available to edit.)
- Sch. 14 heading word inserted by [2015 c. 20 Sch. 7 para. 11\(2\)](#)
- Sch. 14 para. 5(1) words substituted by [2015 c. 20 Sch. 7 para. 11\(3\)](#)
- Sch. 15 heading word inserted by [2015 c. 20 Sch. 7 para. 12\(2\)](#)
- Sch. 15 para. 13(2) words substituted by [2015 c. 20 Sch. 7 para. 12\(3\)](#)

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 53(3)(c)(ia) inserted by [2015 c. 20 Sch. 7 para. 2\(b\)](#)
- s. 53B(4A)(4B) inserted by [2015 c. 20 Sch. 7 para. 4](#)
- s. 53ZA inserted by [2015 c. 20 Sch. 7 para. 3](#)
- s. 54B54C inserted by [2015 c. 20 Sch. 7 para. 5](#)
- Sch. 13A inserted by [2015 c. 20 Sch. 7 para. 6](#)
- Sch. 14A inserted by [2015 c. 20 Sch. 7 para. 7](#)