



# Wildlife and Countryside Act 1981

## 1981 CHAPTER 69

### PART I

#### WILDLIFE

##### *Protection of other animals [F1 and prevention of poaching]*

#### 11 Prohibition of certain methods of killing or taking wild animals. **E+W**

- (1) Subject to the provisions of this Part, if any person—
- (a) sets in position [F2 otherwise than in Wales] any self-locking snare which is of such a nature and so placed as to be calculated to cause bodily injury to any wild animal coming into contact therewith;
  - (b) uses [F3 otherwise than in Wales] for the purpose of killing or taking any wild animal any self-locking snare, whether or not of such a nature or so placed as aforesaid, any bow or cross-bow or any explosive other than ammunition for a firearm; F4 . . .
  - [F5 (ba) sets in position in Wales any snare, or other cable restraint, which is of such a nature and so placed as to be likely to cause bodily injury to any wild animal coming into contact with it;
  - (bb) uses in Wales for the purpose of killing or taking any wild animal any snare, or other cable restraint, whether or not of such a nature or so placed as aforesaid;
  - (bc) sets in position in Wales any glue trap which is of such a nature and so placed as to be likely to catch any animal coming into contact with it;
  - (bd) uses in Wales for the purpose of killing or taking any animal any glue trap, whether or not of such a nature or so placed as aforesaid;]
  - [F6 (be) uses in Wales for the purpose of killing or taking any wild animal any bow or cross-bow or any explosive other than ammunition for a firearm;]
  - (c) uses as a decoy, for the purpose of killing or taking any wild animal, any live mammal or bird whatever, [F7; or
  - (d) knowingly causes or permits to be done an act which is mentioned in the foregoing provisions of this section,]

*Status: There are multiple versions of this provision on screen. These apply to different geographical extents. Skip to: E+W - England and Wales extent S - Scotland extent*

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he shall be guilty of an offence.

[<sup>F8</sup>(2) Subject to the provisions of this Part, a person shall be guilty of an offence if that person—

- (a) uses [<sup>F9</sup>, otherwise than in Wales,] any trap or snare [<sup>F10</sup>, or in Wales, any trap other than a glue trap,] for the purpose of killing or taking or restraining any wild animal included in Schedule 6 or 6ZA;
- (b) sets in position [<sup>F11</sup>, otherwise than in Wales,] any trap or snare [<sup>F12</sup>, or in Wales, any trap other than a glue trap,] of such a nature and so placed as to be—
  - (i) in England <sup>F13</sup> ..., calculated to cause bodily injury to any wild animal included in Schedule 6 or 6ZA;
  - (ii) in Scotland [<sup>F14</sup> or Wales], likely to cause bodily injury to any such wild animal;
- (c) sets in position any electrical device for killing or stunning, or any poisonous, poisoned or stupefying substance, of such a nature and so placed as to be—
  - (i) in England <sup>F15</sup> ..., calculated to cause bodily injury to any wild animal included in Schedule 6;
  - (ii) in Scotland [<sup>F16</sup> or Wales], likely to cause bodily injury to any such wild animal;
- (d) uses for the purpose of killing or taking any wild animal included in Schedule 6—
  - (i) any electrical device for killing or stunning;
  - (ii) any poisonous, poisoned or stupefying substance;
  - (iii) any net;
  - (iv) any automatic or semi-automatic weapon;
  - (v) any device for illuminating a target or sighting device for night shooting;
  - (vi) any form of artificial light or any mirror or other dazzling device;
  - (vii) any gas or smoke not falling within sub-paragraph (ii);
  - (viii) any sound recording used as a decoy; or
  - (ix) any mechanically propelled vehicle in immediate pursuit of any such animal;
- (e) uses any mechanically propelled vehicle for the purpose of driving any wild animal included in Schedule 6; or
- (f) knowingly causes or permits to be done an act mentioned in paragraphs (a) to (e).]

(3) Subject to the provisions of this Part, if any person—

- (a) sets in position [<sup>F17</sup> or knowingly causes or permits to be set in position] [<sup>F18</sup>, otherwise than in Wales,] any snare which is of such a nature and so placed as to be calculated to cause bodily injury to any wild animal coming into contact therewith; and
- (b) while the snare remains in position fails, without reasonable excuse, to inspect it, or cause it to be inspected, at least once every day,

he shall be guilty of an offence.

(4) The Secretary of State may, for the purpose of complying with an international obligation, by order, either generally or in relation to any kind of wild animal specified in the order, amend subsection (1) or (2) by adding any method of killing or taking wild animals or by omitting any such method as is mentioned in that subsection.

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- (5) In any proceedings for an offence under subsection (1)(b) [<sup>F19</sup>(ba), (bb)] or (c) or [<sup>F20</sup>(2)(a), (d) or (e)], [<sup>F21</sup>and in any proceedings for an offence under subsection (1)(d) or (2)(f) relating to an act which is mentioned in any of those paragraphs] the animal in question shall be presumed to have been a wild animal unless the contrary is shown.
- (6) In any proceedings for an offence under [<sup>F22</sup>subsection (2)(b) or (c)] it shall be a defence to show that the article was set in position by the accused for the purpose of killing or taking, in the interests of public health, agriculture, forestry, fisheries or nature conservation, any wild animals which could be lawfully killed or taken by those means and that he took all reasonable precautions to prevent injury thereby to any wild animals included in [<sup>F23</sup>the relevant Schedule].
- <sup>F24</sup>[(7) In any proceedings for an offence under subsection (2)(f) relating to an act which is mentioned in [<sup>F25</sup>subsection (2)(b) or (c)] it shall be a defence to show that the article was set in position for the purpose of killing or taking, in the interests of public health, agriculture, forestry, fisheries or nature conservation, any wild animals which could be lawfully killed or taken by those means and that he took or caused to be taken all reasonable precautions to prevent injury thereby to any wild animals included in [<sup>F26</sup>the relevant Schedule].]
- <sup>F27</sup>[(7ZA) For the purposes of paragraphs (bc) and (bd) of subsection (1), “animal means a vertebrate (other than a human).]
- <sup>F28</sup>[(7A) In subsections (6) and (7), “the relevant Schedule” means—
- (a) where proceedings relate to an offence under subsection (2)(b), Schedule 6 or 6ZA;
  - (b) where proceedings relate to an offence under subsection (2)(c), Schedule 6.]

#### 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

- F2** Words in s. 11(1)(a) inserted (W.) (17.10.2023) by [Agriculture \(Wales\) Act 2023 \(asc 4\)](#), **ss. 48(2)(a), 56(2)(d)**
- F3** Words in s. 11(1)(b) inserted (W.) (17.10.2023) by [Agriculture \(Wales\) Act 2023 \(asc 4\)](#), **ss. 48(2)(b), 56(2)(d)**
- F4** Word "or" in s. 11(1)(b) omitted (25.9.1991) by virtue of [Wildlife and Countryside \(Amendment\) Act 1991 \(c. 39, SIF 4:5\)](#), **ss. 2(2)(a), 3(3)**.
- F5** S. 11(1)(ba)-(bd) inserted (W.) (17.10.2023) by [Agriculture \(Wales\) Act 2023 \(asc 4\)](#), **ss. 46(a), 56(2)(d)**
- F6** S. 11(1)(be) inserted (W.) (17.10.2023) by [Agriculture \(Wales\) Act 2023 \(asc 4\)](#), **ss. 48(2)(c), 56(2)(d)**
- F7** Word "or" and s. 11(1)(d) inserted (25.9.1991) by [Wildlife and Countryside \(Amendment\) Act 1991 \(c. 39, SIF 4:5\)](#), **ss. 2(2)(b), 3(3)**.
- F8** S. 11(2) substituted (28.3.2019) by [The Humane Trapping Standards Regulations 2019 \(S.I. 2019/22\)](#), **regs. 1(1), 3(2)**
- F9** Words in s. 11(2)(a) inserted (W.) (17.10.2023) by [Agriculture \(Wales\) Act 2023 \(asc 4\)](#), **ss. 48(3)(a)(i), 56(2)(d)**
- F10** Words in s. 11(2)(a) inserted (W.) (17.10.2023) by [Agriculture \(Wales\) Act 2023 \(asc 4\)](#), **ss. 48(3)(a)(ii), 56(2)(d)**
- F11** Words in s. 11(2)(b) inserted (W.) (17.10.2023) by [Agriculture \(Wales\) Act 2023 \(asc 4\)](#), **ss. 48(3)(b)(i), 56(2)(d)**

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- F12** Words in s. 11(2)(b) inserted (W.) (17.10.2023) by Agriculture (Wales) Act 2023 (asc 4), **ss. 48(3)(b)(ii), 56(2)(d)**
- F13** Words in s. 11(2)(b)(i) omitted (W.) (17.10.2023) by virtue of Agriculture (Wales) Act 2023 (asc 4), **ss. 47(a)(i), 56(2)(d)**
- F14** Words in s. 11(2)(b)(ii) inserted (W.) (17.10.2023) by Agriculture (Wales) Act 2023 (asc 4), **ss. 47(a)(ii), 56(2)(d)**
- F15** Words in s. 11(2)(c)(i) omitted (W.) (17.10.2023) by virtue of Agriculture (Wales) Act 2023 (asc 4), **ss. 47(b)(i), 56(2)(d)**
- F16** Words in s. 11(2)(c)(ii) inserted (W.) (17.10.2023) by Agriculture (Wales) Act 2023 (asc 4), **ss. 47(b)(ii), 56(2)(d)**
- F17** Words in s. 11(3)(a) inserted (25.9.1991) by Wildlife and Countryside (Amendment) Act 1991 (c. 39, SIF 4:5), **ss. 2(4), 3(3)**.
- F18** Words in s. 11(3)(a) inserted (W.) (17.10.2023) by Agriculture (Wales) Act 2023 (asc 4), **ss. 48(4), 56(2)(d)**
- F19** Words in s. 11(5) inserted (W.) (17.10.2023) by Agriculture (Wales) Act 2023 (asc 4), **ss. 48(5), 56(2)(d)**
- F20** Words in s. 11(5) substituted (28.3.2019) by The Humane Trapping Standards Regulations 2019 (S.I. 2019/22), regs. 1(1), **3(3)**
- F21** Words in s. 11(5) inserted (25.9.1991) by Wildlife and Countryside (Amendment) Act 1991 (c. 39, SIF 4:5), **ss. 2(5), 3(3)**.
- F22** Words in s. 11(6) substituted (28.3.2019) by The Humane Trapping Standards Regulations 2019 (S.I. 2019/22), regs. 1(1), **3(4)(a)**
- F23** Words in s. 11(6) substituted (28.3.2019) by The Humane Trapping Standards Regulations 2019 (S.I. 2019/22), regs. 1(1), **3(4)(b)**
- F24** S. 11(7) added (25.9.1991) by Wildlife and Countryside (Amendment) Act 1991 (c. 39, SIF 4:5), **ss. 2(6), 3(3)**.
- F25** Words in s. 11(7) substituted (28.3.2019) by The Humane Trapping Standards Regulations 2019 (S.I. 2019/22), regs. 1(1), **3(4)(a)**
- F26** Words in s. 11(7) substituted (28.3.2019) by The Humane Trapping Standards Regulations 2019 (S.I. 2019/22), regs. 1(1), **3(4)(b)**
- F27** S. 11(7ZA) inserted (W.) (17.10.2023) by Agriculture (Wales) Act 2023 (asc 4), **ss. 46(b), 56(2)(d)**
- F28** S. 11(7A) inserted (28.3.2019) by The Humane Trapping Standards Regulations 2019 (S.I. 2019/22), regs. 1(1), **3(5)**

## 11 Prohibition of certain methods of killing or taking wild animals. **S**

- (1) Subject to the provisions of this Part, if any person—
- (a) sets in position [<sup>F29</sup>or otherwise uses] any self-locking snare [<sup>F30</sup>or a snare of any other type specified in an order made by the Scottish Ministers];
  - <sup>F31</sup>(aa) sets in position or otherwise uses any other type of snare which is either of such a nature or so placed (or both) as to be calculated to cause unnecessary suffering to any animal coming into contact with it;
  - (b) uses for the purpose of killing or taking any [<sup>F32</sup>animal] , any bow or cross-bow or any explosive other than ammunition for a firearm; <sup>F4</sup> . . .
  - (c) uses as a decoy, for the purpose of killing or taking any wild animal, any live mammal or bird whatever, [<sup>F7</sup>; or
  - (d) knowingly causes or permits to be done an act which is mentioned in the foregoing provisions of this section,]
- he shall be guilty of an offence.

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[<sup>F33</sup>(1A) For the purposes of subsection (1)(aa), a snare which is of such a nature or so placed (or both) as to be calculated to cause unnecessary suffering to any animal coming into contact with it includes—

- (a) where the person who sets in position or otherwise uses the snare does so to catch any animal other than a fox, a snare which is not fitted with a stop which is capable of preventing the noose of the snare reducing in circumference to less than 13 centimetres;
- (b) where the person who sets in position or otherwise uses the snare does so to catch a fox, a snare which is not fitted with a stop which is capable of preventing the noose of the snare reducing in circumference to less than 23 centimetres;
- (c) a snare which is neither—
  - (i) staked to the ground; nor
  - (ii) attached to an object,in a manner which will prevent the snare being dragged by an animal caught by it; and
- (d) a snare which is set in a place where an animal caught by the snare is likely to—
  - (i) become fully or partially suspended; or
  - (ii) drown.]

[<sup>F8</sup>(2) Subject to the provisions of this Part, a person shall be guilty of an offence if that person—

- (a) uses any trap or snare for the purpose of killing or taking or restraining any wild animal included in Schedule 6 or 6ZA;
- (b) sets in position any trap or snare of such a nature and so placed as to be—
  - (i) in England and Wales, calculated to cause bodily injury to any wild animal included in Schedule 6 or 6ZA;
  - (ii) in Scotland, likely to cause bodily injury to any such wild animal;
- (c) sets in position any electrical device for killing or stunning, or any poisonous, poisoned or stupefying substance, of such a nature and so placed as to be—
  - (i) in England and Wales, calculated to cause bodily injury to any wild animal included in Schedule 6;
  - (ii) in Scotland, likely to cause bodily injury to any such wild animal;
- (d) uses for the purpose of killing or taking any wild animal included in Schedule 6—
  - (i) any electrical device for killing or stunning;
  - (ii) any poisonous, poisoned or stupefying substance;
  - (iii) any net;
  - (iv) any automatic or semi-automatic weapon;
  - (v) any device for illuminating a target or sighting device for night shooting;
  - (vi) any form of artificial light or any mirror or other dazzling device;
  - (vii) any gas or smoke not falling within sub-paragraph (ii);
  - (viii) any sound recording used as a decoy; or
  - (ix) any mechanically propelled vehicle in immediate pursuit of any such animal;

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- (e) uses any mechanically propelled vehicle for the purpose of driving any wild animal included in Schedule 6; or
- (f) knowingly causes or permits to be done an act mentioned in paragraphs (a) to (e).]

<sup>F34</sup>[<sup>F35</sup>(3) . . . . .

<sup>F34</sup>(3A) . . . . .

<sup>F34</sup>(3B) . . . . .

(3C) Subject to the provisions of this Part, any person who—

- (a) is, without reasonable excuse, in possession of; or
- (b) sells, or offers or exposes for sale,

a snare which is capable of operating as a self-locking snare or a snare of any other type specified in an order under subsection (1)(a) shall be guilty of an offence.

<sup>F36</sup>(3D) . . . . .

(3E) Subject to the provisions of this Part, any person who uses a snare otherwise than in accordance with such requirements as may be specified in an order made by the Scottish Ministers, or who knowingly causes or permits any other person to do so, shall be guilty of an offence.]

(4) The Secretary of State may, for the purpose of complying with an international obligation, by order, either generally or in relation to any kind of wild animal specified in the order, amend subsection (1) or (2) by adding any method of killing or taking wild animals or by omitting any such method as is mentioned in that subsection.

[<sup>F37</sup>(4A) The Scottish Ministers may by order specify—

- (a) criteria which articles of a type referred to in subsections (1) to (3E) must meet to be treated as articles of that type for the purposes of those subsections,
- (b) circumstances in which articles of that type are to be treated as having been set or used in a manner which constitutes an offence under those subsections.]

(5) In any proceedings for an offence under subsection [<sup>F38</sup>(1)(c)] or [<sup>F20</sup>(2)(a), (d) or (e)], [<sup>F21</sup>and in any proceedings for an offence under subsection (1)(d) or (2)(f) relating to an act which is mentioned in any of those paragraphs] the animal in question shall be presumed to have been a wild animal unless the contrary is shown.

(6) In any proceedings for an offence under [<sup>F22</sup>subsection (2)(b) or (c)] it shall be a defence to show that the article was set in position by the accused for the purpose of killing or taking, in the interests of public health, agriculture, forestry, fisheries or nature conservation, any wild animals which could be lawfully killed or taken by those means and that he took all reasonable precautions to prevent injury thereby to any wild animals included in [<sup>F23</sup>the relevant Schedule].

<sup>F24</sup>[(7) In any proceedings for an offence under subsection (2)(f) relating to an act which is mentioned in [<sup>F25</sup>subsection (2)(b) or (c)] it shall be a defence to show that the article was set in position for the purpose of killing or taking, in the interests of public health, agriculture, forestry, fisheries or nature conservation, any wild animals which could be lawfully killed or taken by those means and that he took or caused to be taken all reasonable precautions to prevent injury thereby to any wild animals included in [<sup>F26</sup>the relevant Schedule].]

[<sup>F28</sup>(7A) In subsections (6) and (7), “the relevant Schedule” means—

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- (a) where proceedings relate to an offence under subsection (2)(b), Schedule 6 or 6ZA;
- (b) where proceedings relate to an offence under subsection (2)(c), Schedule 6.]

### Extent Information

- E2** This version of this provision extends to Scotland only; a separate version has been created for England and Wales only

### Textual Amendments

- F4** Word "or" in s. 11(1)(b) omitted (25.9.1991) by virtue of Wildlife and Countryside (Amendment) Act 1991 (c. 39, SIF 4:5), **ss. 2(2)(a), 3(3)**.
- F7** Word "or" and s. 11(1)(d) inserted (25.9.1991) by Wildlife and Countryside (Amendment) Act 1991 (c. 39, SIF 4:5), **ss. 2(2)(b), 3(3)**.
- F8** S. 11(2) substituted (28.3.2019) by The Humane Trapping Standards Regulations 2019 (S.I. 2019/22), regs. 1(1), **3(2)**
- F20** Words in s. 11(5) substituted (28.3.2019) by The Humane Trapping Standards Regulations 2019 (S.I. 2019/22), regs. 1(1), **3(3)**
- F21** Words in s. 11(5) inserted (25.9.1991) by Wildlife and Countryside (Amendment) Act 1991 (c. 39, SIF 4:5), **ss. 2(5), 3(3)**.
- F22** Words in s. 11(6) substituted (28.3.2019) by The Humane Trapping Standards Regulations 2019 (S.I. 2019/22), regs. 1(1), **3(4)(a)**
- F23** Words in s. 11(6) substituted (28.3.2019) by The Humane Trapping Standards Regulations 2019 (S.I. 2019/22), regs. 1(1), **3(4)(b)**
- F24** S. 11(7) added (25.9.1991) by Wildlife and Countryside (Amendment) Act 1991 (c. 39, SIF 4:5), **ss. 2(6), 3(3)**.
- F25** Words in s. 11(7) substituted (28.3.2019) by The Humane Trapping Standards Regulations 2019 (S.I. 2019/22), regs. 1(1), **3(4)(a)**
- F26** Words in s. 11(7) substituted (28.3.2019) by The Humane Trapping Standards Regulations 2019 (S.I. 2019/22), regs. 1(1), **3(4)(b)**
- F28** S. 11(7A) inserted (28.3.2019) by The Humane Trapping Standards Regulations 2019 (S.I. 2019/22), regs. 1(1), **3(5)**
- F29** Words in s. 11(1)(a) inserted (S.) (1.10.2004) by Nature Conservation (Scotland) Act 2004 (asp 6), ss. 50, 59, **Sch. 6 para.10(2)(a)**; S.S.I. 2004/407, **art. 2**
- F30** Words in s. 11(1)(a) substituted (S.) (1.10.2004) by Nature Conservation (Scotland) Act 2004 (asp 6), ss. 50, 59, **Sch. 6 para.10(2)(b)**; S.S.I. 2004/407, **art. 2**
- F31** S. 11(1)(aa) inserted (S.) (1.10.2004) by Nature Conservation (Scotland) Act 2004 (asp 6), ss. 50, 59, **Sch. 6 para.10(3)**; S.S.I. 2004/407, **art. 2**
- F32** Words in s. 11(1)(b) substituted (S.) (1.10.2004) by Nature Conservation (Scotland) Act 2004 (asp 6), ss. 50, 59, **Sch. 6 para.10(4)**; S.S.I. 2004/407, **art. 2**
- F33** S. 11(1A) inserted (S.) (1.1.2012) by Wildlife and Natural Environment (Scotland) Act 2011 (asp 6), **ss. 13(2)(a), 43(1)** (with s. 41(1)); S.S.I. 2011/433, art. 2(1)(c)(i)
- F34** S. 11(3)-(3B) repealed (S.) (1.1.2012) by Wildlife and Natural Environment (Scotland) Act 2011 (asp 6), **ss. 13(2)(b), 43(1)** (with s. 41(1)); S.S.I. 2011/433, **art. 2(1)(c)(i)**
- F35** S. 11(3)-(3E) substituted (S.) (1.10.2004) for s. 11(3) by Nature Conservation (Scotland) Act 2004 (asp 6), ss. 50, 59, **Sch. 6 para.10(6)**; S.S.I. 2004/407, **art. 2**
- F36** S. 11(3D) repealed (S.) (1.1.2012) by Wildlife and Natural Environment (Scotland) Act 2011 (asp 6), **ss. 13(2)(b), 43(1)** (with s. 41(1)); S.S.I. 2011/433, art. 2(1)(c)(i)
- F37** S. 11(4A) inserted (S.) (1.10.2004) by Nature Conservation (Scotland) Act 2004 (asp 6), ss. 50, 59, **Sch. 6 para.10(7)**; S.S.I. 2004/407, **art. 2**
- F38** Words in s. 11(5) substituted (S.) (1.10.2004) by Nature Conservation (Scotland) Act 2004 (asp 6), ss. 50, 59, **Sch. 6 para.10(8)**; S.S.I. 2004/407, **art. 2**

**Status:**

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**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](#)