

Chapter 1 : Wildlife and Countryside Act - Summary

Changes to legislation: Wildlife and Countryside Act is up to date with all changes known to be in force on or before 02 November There are changes that may be brought into force at a future date.

Schedules of the Act Introduction The Wildlife and Countryside Act as amended is the principle mechanism for the legislative protection of wildlife in Great Britain. Similar legislation is enacted to fulfil these obligations elsewhere in the United Kingdom. The Wildlife and Countryside Act is divided into four parts. Part I is concerned with the protection of wildlife, Part II relates to the countryside and national parks and the designation of protected areas, Part III covers public rights of way, Part IV deals with miscellaneous provisions of the Act. This document deals only with Part I. It does not apply to captive bred animals being held in captivity. There are often situations where it might be hard to say whether an animal is wild or not. However, animals in gardens e. The Wildlife and Countryside also prohibits the release of non-native species into the wild Section This is to prevent the release of exotic species that could threaten our native wildlife. Some populations of non-native species, such as the marsh frog *Rana ridibunda*, alpine newt *Triturus alpestris* and wall lizard *Podarcis muralis* have become established in the wild in Britain. The legislation does not prohibit capturing and keeping these animals but it makes re-releasing them an offence. These are cases where acts that would otherwise be prohibited by the legislation are permitted. Notably these allow things to happen that are reasonable, unpredictable and unavoidable, such as running over a badger on the road. For example scientific study that requires capturing protected animals can be allowed by obtaining a license. Trade in the more widespread species is also permitted if licensed. Other Legislation Other legislation provides protection for wildlife, or specific groups of wildlife. The Ground Game Act The Protection of Animals Act The Whaling Industry Regulation Act The Conservation of Seals Act The Salmon and Freshwater Fisheries Act The Dangerous Wild Animals Act The Animals Scientific Procedures Act The Deer Act The Protection of Badgers Act Some of these Acts have parallel legislation in Scotland and Northern Ireland. History Two major pieces of legislation protecting wildlife in Britain pre-dated, and were repealed by the passing of the Wildlife and Countryside Act Although passed in , the majority Of Part I of the Wildlife and Countryside Act all except Section 12 was not brought into effect until 28 September Since the passing of the Wildlife and Countryside Act there have been amendments to the text of the Act, through Amendment Acts and other legislation, e. There is a statutory five yearly review of Schedules 5 and 8 protected animals other than birds and protected plants undertaken by the statutory conservation agencies and coordinated through the Joint Nature Conservation Committee. Changes can be made by the Secretary of State at any time, following representation if it is considered necessary because of a threat of extinction or in response to international obligations. Amendments up to January are shown below. Wildlife and Countryside Service of Notices Act Wildlife and Countryside Amendment Act However, reference should always be made to the full text of the legislation to determine the exact provisions that relate to protection of species. Protection of birds Sections 1 to 8 relate to protection of birds. Section 1 prohibits the intentional killing, injuring or taking of any wild bird and the taking, damaging or destroying of the nest whilst being built or in use or eggs. It prohibits possession of wild birds dead or alive or their eggs. There are additional penalties for offences relating to birds on Schedule 1 and, in addition, it is an offence to disturb Schedule 1 birds at nest or the dependent young of Schedule 1 birds. Section 2 outlines exceptions to Section 1, notably it identifies two lists of birds that may be killed:

Chapter 2 : Wildlife Act No 31 (as at 01 October), Public Act Contents “ New Zealand Legislation

Changes to legislation: Wildlife and Countryside Act is up to date with all changes known to be in force on or before 30 October There are changes that may be brought into force at a future date.

There are also numerous country-specific Orders pertaining to Variation of Schedules of the Act. The original Wildlife and Countryside Act text is available and an updated version is available on Legislation. There is also a statutory five-yearly review of Schedules 5 and 8 protected wild animals and plants respectively and period review of Schedule 9 in relation to non-native species. These reviews are undertaken by the country agencies and coordinated by JNCC. Containing four Parts and 17 Schedules, the Act covers protection of wildlife birds, and some animals and plants , the countryside, National Parks, and the designation of protected areas, and public rights of way. Special penalties are available for offences related to birds listed on Schedule 1, for which there are additional offences of disturbing these birds at their nests, or their dependent young. The Secretary of State may also designate Areas of Special Protection subject to exceptions to provide further protection to birds. The Act also prohibits certain methods of killing, injuring, or taking birds, restricts the sale and possession of captive bred birds, and sets standards for keeping birds in captivity. Wildlife - other animals The Act makes it an offence subject to exceptions to intentionally [or recklessly] - only under the Nature Conservation Scotland Act kill, injure or take any wild animal listed on Schedule 5, and prohibits interference with places used for shelter or protection, or intentionally disturbing animals occupying such places. The Act also prohibits certain methods of killing, injuring, or taking wild animals. Wildlife - Vascular plants, bryophytes, lichens and fungi plants The Act makes it an offence subject to exceptions to intentionally pick, uproot or destroy: Non-avian animals and plants vascular plants, bryophytes, lichens and fungi on Schedules 5 and 8 are reviewed every five years in a process called the Quinquennial Review. It also provides a mechanism making any of the above offences legal through the granting of licences by the appropriate authorities. Where exceptions are needed, they are provided through secondary legislation. In addition, the Code of Practice on Non-Native Species describes some circumstances which are not considered to be releasing an animal or planting in the wild. Schedule 5 lists animals other than birds which are specially protected, and Schedule 8 lists plants vascular plants, bryophytes, lichens and fungi which are specially protected. Defra and the Welsh Government responded to these recommendations in See Sites of Special Scientific Interest. Sections 34 to 53 deal with other protected areas within Great Britain. The Act provides for the notification and confirmation of Sites of Special Scientific Interest SSSIs “ these sites are identified for their flora, fauna, geological or physiographical features “ by the country conservation bodies in England Natural England and Wales Natural Resources Wales. A notification must be served on the relevant local planning authority, all land owners and occupiers, and the Secretary of State, specifying the time period within which representations and objections may be made. The country conservation bodies must consider these responses and may withdraw or confirm the notification, with or without amendment. The Act provides for the making of Limestone Pavement Orders, which prohibit the disturbance and removal of limestone from such designated areas, and the designation of Marine Nature Reserves. The Act prohibits the undertaking of agricultural or forestry operations on land within National Parks which has been either moor or heath for 20 years, without consent from the relevant planning authority. Planning authorities are also required to make available to the public up to date maps of moor and heath land within National Parks, which are important for the conservation of natural beauty.

Chapter 3 : Wildlife | Animal Legal & Historical Center

The Wildlife and Countryside Act is an Act of Parliament in the United Kingdom implemented to comply with European Council Directive //EC on the conservation of wild birds.

Schedules 1 to 10 relate to powers under the "Wildlife" part of the Act. Schedule 1 lists over forty species of birds that are protected by special penalties. Schedule 2 lists Hutable birds and their close seasons.

Amendments[edit] There have been a few simple amendments to the Wildlife and Countryside Act, such as word changes, increase in fines, etc. Every 5 years the JNCC coordinates a compulsory review of schedules 5 and 8 to add new species that may need protection. Amendments were made to SSSI documentation, notification periods and maintenance of registers. Improved public rights of way giving people access to mountain, moor, heath, down and registered common land. Introduced new offences involving the intentional and reckless damage of SSSIs.

Regulators[edit] Regulated by Natural England[edit] As well as being a regulator of the Wildlife and Countryside Act , Natural England acts as an advisor to individuals, companies, government, etc. Additionally Natural England helps with land management through grants, projects and information. Damage, destruction or disturbance of SSSI habitats and features can lead to the following actions by Natural England: Natural England always try to recover costs and publicise prosecutions to the press.

Regulated by the police[edit] Within the police there are several aspects to regulating wildlife crime; intelligence, enforcement and prevention. Wildlife crime investigations, statistics and intelligence are provided.

Regulated by the Environment Agency[edit] The Environment Agency deal with reports from the public in relation to wildlife crime; under duties to prosecute environmental crimes, offences such as damage to habitats and wildlife are included. Southampton City Council are responsible for regulating public rights of way and enforcing rights of way legislation.

Wildlife for further details. Removing any native plant see Part I: Carrying out, causing or allowing operations likely to damage an SSSI without consent. Failing to keep to a management notice. Failing to let the national conservation body know about a change in ownership or occupation of land in an SSSI" [12] Failing to maintain public rights of way; removing obstructions, surfacing, maintaining safe and easy to use access points. If it is so severely injured beyond recovery then it can be killed in the most humane way possible. Statutory Instrument No.

Chapter 4 : UK- Wildlife - Wildlife and Countryside Act | Animal Legal & Historical Center

The Wildlife & Countryside Act The Wildlife and Countryside Act is the primary legislation which protects animals, plants and habitats in the UK. Information on the legal protection afforded to wild birds in England, Wales and Scotland in Part 1 of the Act is given in these pages.

The traditional materials, building methods and unmanaged buildings and gardens often associated with restoration projects also provide abundant sources of food and shelter that can appeal to endangered and protected species. This article focuses on three protected species that are frequently encountered in such contexts: It explains how and why these animals are protected, the practical implications of that protection, and how best to anticipate and overcome the challenges these animals can present to a restoration project. The key pieces of legislation are outlined below: The Wildlife and Countryside Act as amended is still the major legal instrument for wildlife protection in Britain. This legislation covers the protection of a wide range of protected species and habitats and provides the legislative framework for the designation of Sites of Special Scientific Interest SSSIs. The Countryside and Rights of Way CROW Act compels all government departments to have regard for biodiversity when carrying out their functions. In addition, the powers of the statutory nature conservation organisation Natural England for England to intervene in the management of SSSIs were strengthened and steps taken to assist in prosecuting individuals breaching wildlife legislation. The Protection of Badgers Act consolidated existing legislation on the protection of badgers. This legislation is intended to prevent the persecution of badgers. The act protects both individual badgers and their setts. It is an offence to intentionally or in England and Wales recklessly kill, injure or capture bats and great crested newts or obstruct access to, damage or destroy the resting places used by these animals. In the case of bats, which use several resting places or roost sites throughout the year, and tend to reuse the same roosts for generations, these sites are protected whether bats are present or not. Any activity resulting in a contravention of the legislation described above would require a Natural England licence to avoid committing an offence. Unlike bats and great crested newts, badgers are not protected because they are rare or endangered: It is illegal to deliberately kill, injure or take a badger, or to attempt such actions. Development activities that may contravene the above legislation must be carried out under a licence granted by Natural England or the relevant statutory nature conservation organisation. The males also have a jagged crest along the centre of the back and tail. Breeding takes place in ponds, although a large part of the lifespan is spent in terrestrial habitats where this species may wander as far as a kilometre from its breeding pond. Great crested newt populations often depend on having a network of ponds close together and interlinked by suitable terrestrial habitat. They are most frequently recorded in medium-sized ponds that are well vegetated but not heavily shaded. Occasional drying out is not a barrier to newt breeding and prevents colonisation by fish. The preferred terrestrial habitat is unimproved grassland, scrub and woodland. The British population of great crested newts is one of the largest in Europe although it has suffered significant declines over the last century, largely due to the loss of habitats such as agricultural ponds. Because of recent population declines and the importance of the British populations of great crested newt in a European context, this species enjoys a high level of protection. **BADGERS** Badgers are common throughout most of Britain although they are more numerous towards the south-west with fewer in flatter arable and upland areas. Badgers can live for up to 14 years and are omnivorous, with worms making up roughly half their diet. Signs of badger presence include: The paths along which badgers travel to and from foraging areas often contain rocks and trees with rubbing marks made by the passing badgers, which may also leave tracks in wet mud and hair caught on undergrowth or fences. Setts have a number of classifications depending on their uses: May be used by foxes and rabbits **BATS** The 16 species of bat present in Britain are all relatively small and make use of echo-location to catch and feed on insects. While trees, exposed rock faces and caves were once the natural roost sites for British bats, 15 of the species now make some use of buildings, with a number now largely reliant on them for summer roosting. Bats occupying summer maternity and winter hibernation roosts are particularly sensitive to disturbance and this vulnerability combined with the rarity of many bat species is the reason for the high levels of legal protection

which they enjoy. Bats, particularly the relatively widespread and versatile common and soprano pipistrelle, can roost in virtually any structure. Some buildings are particularly likely to contain bats, either because they provide a large number of possible roosting opportunities or because they are surrounded by good feeding habitats.

Chapter 5 : Wildlife & Countryside Act

The Wildlife and Countryside Act was a fairly simple source of wildlife law in Great Britain when it was enacted to implement the Birds Directive and Bern Convention. But the legal picture is now more complex.

Chapter 6 : Naturenet: Wildlife and Countryside Act

The Wildlife and Countryside Act - Chapter 69 - HMSO C urrently, there is no Official on-line listing. T he Wildlife and Countryside Act is the primary legislation in Great Britain for the protection of flora, fauna and the countryside.

Chapter 7 : Possil Marsh - Wikipedia

The Wildlife and Countryside Act consolidates and amends existing national legislation to implement the Convention on the Conservation of European Wildlife and Natural Habitats (Bern Convention) and Council Directive 79//EEC on the conservation of wild birds (Birds Directive) in Great.

Chapter 8 : Wildlife and Countryside Act

Since the passing of the Wildlife and Countryside Act there have been amendments to the text of the Act, through Amendment Acts and other legislation, (e.g. Local Government Act , Water Act , Environmental Protection Act), and to the lists of protected species, through Variations to the Schedules Orders.

Chapter 9 : Wildlife law - RSPCA

Title: The Wildlife and Countryside Act. Category: UK Law. Date: (amended ,) Reference: Chapter 69, Chapter General Description: The Wildlife and Countryside Act (as amended) is the principle mechanism for protection of wildlife in Great Britain.