



## General Licences

# GL 06/2019: To keep disabled, wild-bred Schedule 4 birds for rehabilitation

General Licences allow authorised people to carry out activities that would otherwise be illegal under the Wildlife & Countryside Act 1981 (as amended). They cover situations where we accept that there may be no other satisfactory solution. However, they should only be used as a last resort. Operators must be able to explain what other alternatives they have tried if challenged.

### Terms and conditions

If you operate under General Licence 06/2019 you must meet the following terms and conditions otherwise your actions may be illegal which could lead to prosecution.

<p><b>What can this General Licence be used for?</b></p>	<p>Authorised people (operators) can keep any disabled wild-bred bird listed on Schedule 4 to the Wildlife &amp; Countryside Act 1981 (as amended); namely</p> <table border="0"> <tr> <td>Honey buzzard</td> <td><i>Pernis apivorus</i></td> </tr> <tr> <td>Golden eagle</td> <td><i>Aquila chrysaetos</i></td> </tr> <tr> <td>White-tailed eagle</td> <td><i>Haliaeetus albicilla</i></td> </tr> <tr> <td>Peregrine falcon</td> <td><i>Falco peregrinus</i></td> </tr> <tr> <td>Goshawk</td> <td><i>Accipiter gentilis</i></td> </tr> <tr> <td>Marsh harrier</td> <td><i>Circus aeruginosus</i></td> </tr> <tr> <td>Montagu Harrier</td> <td><i>Circus pygargus</i></td> </tr> <tr> <td>Merlin</td> <td><i>Falco columbarius</i></td> </tr> <tr> <td>Osprey</td> <td><i>Pandion haliaetus</i></td> </tr> </table> <p>for up to <b>15 days</b> without registration for the purpose of rehabilitation with a view to releasing the bird when it is no longer disabled.</p>	Honey buzzard	<i>Pernis apivorus</i>	Golden eagle	<i>Aquila chrysaetos</i>	White-tailed eagle	<i>Haliaeetus albicilla</i>	Peregrine falcon	<i>Falco peregrinus</i>	Goshawk	<i>Accipiter gentilis</i>	Marsh harrier	<i>Circus aeruginosus</i>	Montagu Harrier	<i>Circus pygargus</i>	Merlin	<i>Falco columbarius</i>	Osprey	<i>Pandion haliaetus</i>
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<p><b>Who is authorised to use this General Licence?</b></p>	<p>An operator may be any of the following:</p> <ul style="list-style-type: none"> <li>• A suitably qualified official of the RSPB (Royal Society for Protection of Birds)</li> <li>• An Inspector of the Scottish SPCA (Society for Prevention of Cruelty to Animals),</li> <li>• Any owner or employee of a registered wildlife charity or other such place which is officially approved by the Scottish SPCA for the purpose of caring for Schedule 4 birds.</li> <li>• Any person who has been a registered keeper of three disabled wild-bred Schedule 4 birds and who has subsequently notified the Animal and Plant Health Agency</li> </ul>																		

Scottish Natural Heritage General Licence No. 06/2019

	<p>(APHA) that such birds have been successfully released into the wild.</p> <ul style="list-style-type: none"> <li>• A constable or suitably experienced employee of a police force.</li> </ul>
<p><b>What other information must operators know before considering use of this General Licence?</b></p>	<p>Operators must:</p> <ul style="list-style-type: none"> <li>• understand this General Licence and comply with its terms and conditions</li> <li>• only use it for the conservation of wild birds</li> <li>• only use it where they are satisfied that there is no other satisfactory solution</li> </ul>
<p><b>When and where is this General Licence valid?</b></p>	<p>Across Scotland from 1 January to 31 December 2019 unless previously revoked, or a restriction applies.</p>
<p><b>What restrictions apply to the use of this General Licence?</b></p>	<p>Those convicted of a wildlife crime on or after 1 January 2014 unless, in respect of that offence, they were either dismissed with an admonition, they are a rehabilitated person (for the purposes of the Rehabilitation of Offenders Act 1974 and that conviction is spent), or a court discharged them absolutely.</p> <p><b>Any person not able to use the General Licence can still apply to SNH for an individual <a href="#">licence</a>.</b></p>
<p><b>What are the reporting requirements for this General Licence?</b></p>	<p>Operators must send a written record of the disabled wild-bred bird they are keeping to the SNH licensing team <b>within 4 days</b> of taking it under their control. This record must contain the following information:</p> <ul style="list-style-type: none"> <li>• The name and address of the operator</li> <li>• The name and address of the person from whom the bird was received (if applicable)</li> <li>• The species of bird and the date on which it was taken into possession or control by the operator</li> <li>• The time and place the bird was taken and where it is being held for rehabilitation</li> <li>• The injuries sustained by the bird at the time the operator took it into possession or control and the cause of those injuries (if known)</li> </ul>
<p><b>What other conditions must operators adhere to when using this General Licence?</b></p>	<ol style="list-style-type: none"> <li>1. Operators must not transfer a bird they are keeping under this General Licence to any other person except when urgent medical attention is required.</li> <li>2. Operators must make every effort to ensure that any bird kept under this General Licence does not become imprinted or otherwise rendered unfit for subsequent release back into the wild, as a consequence of being in captivity.</li> </ol>

<b>Notes</b>	<ol style="list-style-type: none"><li>1. Operators holding any disabled, wild-bred bird longer than 15 days must be <a href="#">registered with the APHA</a> and hold a licence to keep the bird un-rung during rehabilitation. Applications to the APHA may also require a certificate by a qualified vet that it is not possible to return the bird to the wild within the 15 days because of its injuries or illness.</li><li>2. SNH may contact operators for an update on the condition of any bird kept under this General Licence within two weeks of receipt of a bird record.</li><li>3. General Licence 07/2019 permits qualified vets to keep any disabled wild-bred bird listed on this General Licence for up to six weeks without registration.</li></ol>
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### Definitions

For the purposes of this General Licence;

"wild bird" means any bird of a species which is ordinarily resident in or is a visitor to any member State or the European territory of any member State in a wild state but does not include poultry. "Bird" includes all stages from chick to adult.

"a wild-bred listed on Schedule 4 bird" means a wild bird included in Schedule 4 to the Wildlife and Countryside Act 1981 (as amended) other than a bird treated as bred in captivity within the meaning of Section 27(2) of the Act.

"wildlife crime" means any offence under the Wildlife & Countryside Act 1981, the Conservation (Natural Habitats &c.) Regulations 1994, the Protection of Badgers Act 1992, the Protection of Wild Mammals (Scotland) Act 2002, the Animal Health & Welfare (Scotland) Act 2006, the Protection of Animals (Scotland) Act 1912 and the Wild Mammals (Protection) Act 1996 (all as amended).



**Robbie Kernahan**  
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