

General Licences



GL 12/2019: To sell feathers and parts of certain dead birds which have been captive-bred or legally taken from the UK

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 12/2019 you must meet the following terms and conditions otherwise your actions may be illegal which could lead to prosecution.

<p>What can this General Licence be used for?</p>	<p>Authorised people (operators) can;</p> <ul style="list-style-type: none"> a) sell, hire, barter or exchange b) offer or exposure for sale, hire, barter or exchange c) possess or transport for the purpose of sale, hire, barter or exchange d) publish, or cause to be published, any advertisement likely to be understood as conveying the intention to buy, sell, hire, barter or exchange, <p>feathers, feathered wings or pieces of feathered skin or anything manufactured or derived from such items of dead wild birds of the following species:</p> <table style="margin-left: 40px;"> <tr> <td>Mallard</td> <td><i>Anas platyrhynchos</i></td> </tr> <tr> <td>Pintail</td> <td><i>Anas acuta</i></td> </tr> <tr> <td>Pochard</td> <td><i>Anas ferina</i></td> </tr> <tr> <td>Shoveler</td> <td><i>Anas clypeata</i></td> </tr> <tr> <td>Teal</td> <td><i>Anas crecca</i></td> </tr> <tr> <td>Tufted duck</td> <td><i>Aythya fuligula</i></td> </tr> <tr> <td>Wigeon</td> <td><i>Anas penelope</i></td> </tr> <tr> <td>Snipe</td> <td><i>Gallinago gallinago</i></td> </tr> <tr> <td>Golden plover</td> <td><i>Pluvialis apricaria</i></td> </tr> <tr> <td>Woodcock</td> <td><i>Scolopax rusticola</i></td> </tr> <tr> <td>Coot</td> <td><i>Fulica atra</i></td> </tr> </table>	Mallard	<i>Anas platyrhynchos</i>	Pintail	<i>Anas acuta</i>	Pochard	<i>Anas ferina</i>	Shoveler	<i>Anas clypeata</i>	Teal	<i>Anas crecca</i>	Tufted duck	<i>Aythya fuligula</i>	Wigeon	<i>Anas penelope</i>	Snipe	<i>Gallinago gallinago</i>	Golden plover	<i>Pluvialis apricaria</i>	Woodcock	<i>Scolopax rusticola</i>	Coot	<i>Fulica atra</i>
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<p>Who is authorised to use this General Licence?</p>	<p>An operator can be anyone</p>																						

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<p>What other information must operators know before considering use of this General Licence?</p>	<p>Operators must:</p> <ul style="list-style-type: none"> • understand this General Licence and comply with its terms and conditions • only use it for the purpose specified above • only use it where they are satisfied that there is no other satisfactory solution
<p>When and where is this General Licence valid?</p>	<p>Across Scotland from 1 January to 31 December 2019 unless previously revoked, or a restriction applies.</p>
<p>What restrictions apply to the use of this General Licence?</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>Any person not able to use the General Licence can still apply to SNH for an individual licence.</p>
<p>What are the general conditions of this General Licence?</p>	<p>This General Licence only applies to the sale of a small number of dead birds that were:</p> <ul style="list-style-type: none"> a) bred in captivity. A bird shall not be treated as being bred in captivity unless its parents were lawfully in captivity when the egg from which it hatched was laid. Documentary evidence of captive breeding must accompany any sale, or b) removed from the natural state within the United Kingdom under legal provisions in force in the United Kingdom. Documentary evidence that the bird was lawfully removed from the natural state must accompany the sale.
<p>What are the reporting requirements of this General Licence?</p>	<ol style="list-style-type: none"> 1. Any person who sells a part or product of a dead bird under this General Licence must keep a record for a minimum of two years of all sales. The record shall contain details of: <ul style="list-style-type: none"> a) the person(s) from whom the seller acquired the bird part or product and the person(s) to whom the part or product was sold; b) the species of bird, the cause of death (if known), the age of the specimen (if the specimen is over 30 years old this should be noted) and the date of acquisition. 2. The seller must certify the record as accurate. 3. The seller must, on being given reasonable notice in writing by SNH, produce the record to a person authorised in writing by SNH and the seller must also permit such authorised person to inspect the record. 4. The seller must submit to SNH by 31 January 2020 a report giving details of any sale by him in that year of any part or

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	product of such a dead bird which in either case has not previously been sold. The report shall also: (a) state how the seller acquired each part or product of such a bird, and (b) list the type and number of each species sold.
Notes	General Licence 13/2019 allows the sale of certain dead birds.

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.

"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).



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for and on behalf of Scottish Natural Heritage
1 December 2018

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