

## General Licences



# GL 10/2021: To sell certain live captive-bred species of wild bird

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 are satisfied that there is no other satisfactory solution in respect of the species to which they relate and the circumstances in which the licensed action may be taken.

### Terms and conditions

If you operate under General Licence 10/2021 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:</p> <ul style="list-style-type: none"> <li>(a) sell, hire, barter or exchange;</li> <li>(b) offer or expose for sale, hire, barter or exchange;</li> <li>(c) possess or transport for the purpose of sale, hire, barter or exchange;</li> <li>(d) publish, or cause to be published, any advertisement likely to be understood as conveying the intention to buy, sell, hire, barter or exchange</li> </ul> <p>any captive-bred live bird of a species which is NOT listed in:</p> <ul style="list-style-type: none"> <li>(i) Appendix 1 of the <a href="#">Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)</a> and <a href="#">Part 1 of Annex C of EC Regulation 338/97</a>, or</li> <li>(ii) The following species of birds listed on Schedule 3 Part 1 to the Wildlife &amp; Countryside Act 1981 (as amended) which it is already legal to sell if ringed and bred in captivity: <ul style="list-style-type: none"> <li>Blackbird <i>Turdus merula</i></li> <li>Brambling <i>Fringilla montifringilla</i></li> <li>Bullfinch <i>Pyrrhula pyrrhula</i></li> <li>Reed bunting <i>Emberiza schoeniclus</i></li> <li>Chaffinch <i>Fringilla coelebs</i></li> <li>Dunnock <i>Prunella modularis</i></li> <li>Goldfinch <i>Carduelis carduelis</i></li> <li>Greenfinch <i>Carduelis chloris</i></li> <li>Jackdaw <i>Corvus monedula</i></li> <li>Jay <i>Garrulus glandarius</i></li> </ul> </li> </ul>
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	<p> <a href="#">Linnet</a> <i>Carduelis cannabina</i>  <a href="#">Magpie</a> <i>Pica pica</i>  <a href="#">Barn owl</a> <i>Tyto alba</i>  <a href="#">Redpoll</a> <i>Carduelis flammea</i>  <a href="#">Siskin</a> <i>Spinus spinus</i> (previously <i>Carduelis spinus</i>)  <a href="#">Starling</a> <i>Sturnus vulgaris</i>  <a href="#">Song thrush</a> <i>Turdus philomelos</i>  <a href="#">Twite</a> <i>Linaria flavirostris</i> (previously <i>Carduelis flavirostris</i>)  <a href="#">Yellow hammer</a> <i>Emberiza citrinella</i> </p> <p>or,</p> <p>(iii) The following species in the Anatidae family:</p> <table data-bbox="539 734 1382 1133"> <tr> <td><a href="#">Common scoter</a></td> <td><i>Melanitta nigra</i></td> </tr> <tr> <td><a href="#">Egyptian goose</a></td> <td><i>Alopochen aegyptiacus</i></td> </tr> <tr> <td><a href="#">Ferruginous duck</a></td> <td><i>Aythya nyroca</i></td> </tr> <tr> <td><a href="#">Garganey</a></td> <td><i>Anas querquedula</i></td> </tr> <tr> <td><a href="#">Goldeneye</a></td> <td><i>Bucephala clangula</i></td> </tr> <tr> <td><a href="#">Goosander</a></td> <td><i>Mergus merganser</i></td> </tr> <tr> <td><a href="#">Long-tailed duck</a></td> <td><i>Clangula hyemalis</i></td> </tr> <tr> <td><a href="#">Mute Swan</a></td> <td><i>Cygnus olor</i></td> </tr> <tr> <td><a href="#">Red-breasted merganser</a></td> <td><i>Mergus serrator</i></td> </tr> <tr> <td><a href="#">Ruddy duck</a></td> <td><i>Oxyura jamaicensis</i></td> </tr> <tr> <td><a href="#">Velvet scoter</a></td> <td><i>Melanitta fusca</i></td> </tr> </table>	<a href="#">Common scoter</a>	<i>Melanitta nigra</i>	<a href="#">Egyptian goose</a>	<i>Alopochen aegyptiacus</i>	<a href="#">Ferruginous duck</a>	<i>Aythya nyroca</i>	<a href="#">Garganey</a>	<i>Anas querquedula</i>	<a href="#">Goldeneye</a>	<i>Bucephala clangula</i>	<a href="#">Goosander</a>	<i>Mergus merganser</i>	<a href="#">Long-tailed duck</a>	<i>Clangula hyemalis</i>	<a href="#">Mute Swan</a>	<i>Cygnus olor</i>	<a href="#">Red-breasted merganser</a>	<i>Mergus serrator</i>	<a href="#">Ruddy duck</a>	<i>Oxyura jamaicensis</i>	<a href="#">Velvet scoter</a>	<i>Melanitta fusca</i>
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<p><b>Who is authorised to use this General Licence?</b></p>	<p>An operator can be anyone.</p>																						
<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 purpose specified above</li> <li>•</li> </ul>																						
<p><b>When and where is this General Licence valid?</b></p>	<p>Across Scotland from 1 January to 31 December 2021 unless previously revoked.</p>																						
<p><b>What restrictions apply to the use of this General Licence?</b></p>	<p>This General Licence cannot be used by those convicted of a wildlife crime on or after 1 January 2016 unless, in respect of that offence, 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 this General Licence can still apply to NatureScot for an individual licence.</b></p>																						
<p><b>What are the general conditions of this General Licence?</b></p>	<p>1. Any bird sold, hired, bartered or exchanged under the terms of this General Licence must have been bred in captivity. A bird shall not be treated as having been bred in captivity</p>																						

	<p>unless its parents were lawfully in captivity when the egg from which it hatched was laid.</p> <ol style="list-style-type: none"><li>2. Any bird sold, hired, bartered or exchanged under the terms of this General Licence which is not on Schedule 4 to the 1981 Act (as amended) must be ringed with a legible individually numbered metal close ring, which is a ring or band in a continuous circle (without any break, join, or any sign of tampering since it was manufactured) and which cannot be removed from the bird when its leg is fully grown.</li><li>3. Any bird sold, hired, bartered or exchanged under the terms of this General Licence which is on Schedule 4 to the 1981 Act (as amended) must be registered and ringed with a close ring issued by the <a href="#">Animal and Plant Health Agency</a> (APHA) (or, where authorised, a cable tie or Swiss/Hess ring issued by the APHA) in accordance with Section 7 of the 1981 Act (as amended) and the Wildlife and Countryside (Registration and Ringing of Certain Captive Birds)(Scotland) Regulations 2009.</li><li>4. The owner or keeper of any bird sold, hired, bartered or exchanged under the terms of this General Licence must if requested by an official of NatureScot or the APHA or a Police Officer make the bird available for a sample of blood to be taken. The blood or tissue sample will be taken by a qualified vet. Such a sample may be used to establish the ancestry of the bird. Likewise, any request to take a feather or swab from the bird, for DNA analysis, must be met with by the owner or keeper of the bird.</li></ol>
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## Definitions

For the purposes of this General Licence;

“NatureScot” means Scottish Natural Heritage acting under its operating name NatureScot.

"wild bird" means any bird of a species which is ordinarily resident in or is a visitor to the UK or 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, Deer (Scotland) Act 1996, Agriculture (Scotland) Act 1948, the Animal Health & Welfare (Scotland) Act 2006, the Protection of Animals (Scotland) Act 1912, the Wild Mammals (Protection) Act 1996 and the Animals & Wildlife (Penalties, Protections and Powers) (Scotland) Act 2020 (all as amended).

### Donald Fraser

Acting Head of Wildlife Management  
For Scottish Natural Heritage acting under its  
operating name NatureScot

1 January 2021

NatureScot  
Licensing Team  
Great Glen House  
Leachkin Road  
Inverness  
IV3 8NW