

Licence No: **GEN / WCA / 018 / 2019**

Valid From: **11th July 2019**

Expiry: **31st December 2024**

WILDLIFE AND COUNTRYSIDE ACT 1981 (AMENDED BY THE ENVIRONMENTAL PROTECTION ACT 1990)

LICENCE TO POSSESS DEAD SPECIMENS FOR RESEARCH AND EDUCATIONAL PURPOSES AND FOR THE PURPOSES OF ANY PUBLIC EXHIBITION

This licence, granted under Section 16(1) (a) and (f) and 16 (5) of the Wildlife and Countryside Act 1981 (amended by the Environmental Protection Act 1990), by the Natural Resource Body for Wales otherwise known as Natural Resources Wales grants those Museums listed on Annex A:

to possess, transport and publicly exhibit dead specimens (including parts or derivatives) of any bird species protected by the Wildlife and Countryside Act 1981 (as amended).

Those Museums listed on Annex A are authorised to possess, exhibit, exchange, loan, hire and transport specimens which have been accepted by the Museums listed on Annex A exercising due diligence and with suitable Transfer of Title Deed or Object Entry Form. This licence authorises the possession of specimens within donated collections which are held pending full examination and also specimens which may be offered to those Museums listed on Annex A as a result of investigations. Specimens which may have been collected unlawfully and forfeited as a result of prosecution may be retained by those Museums listed on Annex A.

The activities noted above are licensed for the period **as stated above** and are granted subject to compliance with the conditions as specified. Anything done otherwise than in accordance with the terms of the licence may constitute an offence.



Signed for and on behalf of
Natural Resources Wales

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Croesewir gohebiaeth yn y Gymraeg a'r Saesneg

Correspondence welcomed in Welsh and English

CONDITIONS

1. This licence may only be relied upon by those organisations listed in Annex A and employees, subcontractors, couriers and postal services acting on their behalf.
2. This licence only authorises the possession and transport of dead specimens and/or derivatives of bird species protected by the Wildlife and Countryside Act 1981 (as amended) that
 - a) are kept and transported for the purposes of science or education or for the purposes of any public exhibition; and
 - b) were taken from the wild in the European Community without breaching applicable legislation of the member State in question (see Note 1).
3. Each Museum listed on Annex A shall nominate an “Appointed Person” to oversee use of this licence. The “Appointed Person” is an employee who is nominated to act as a single point of contact for Natural Resources Wales with regard to this licence. The Appointed Person is expected to oversee use of the licence, including authorising employees to act under the licence, training, recording keeping and compliance.
4. The “Appointed Person” at each Museum is responsible for all activities carried out under this licence, including activities carried out by its employees.
5. This licence may be used by employees of the specific Museums listed on Annex A, but only whilst engaged in official business of that Museum. “Employees” refers to persons working on a permanent or temporary basis for the Museums listed in Annex A and also includes persons sub-contracted by those Museums while acting on the Museums’ behalf. The licence does not authorise employees to possess, transport or exhibit specimens for their personal purposes.
6. The “Appointed Person” must possess appropriate knowledge and experience and should ensure, in as far as is reasonably possible, that other employees using this licence also possess the necessary knowledge and experience. This should include: identification of Protected Species included in the scope of this licence and a working knowledge of the Act together with an understanding of offences that may be committed.
7. It is the responsibility of the “Appointed Person” to ensure all authorised persons using the licence maintain their expertise at an appropriate level to act under this licence.
8. This licence authorises any Museum listed on Annex A to possess any specimen, irrespective of origin or date taken, offered to the collection accompanied by Transfer of Title. The status of specimens may be either:
 - Pending full examination and potential formal accession into the collection; or,
 - Fully accessioned and held in perpetuity within the collection for the purposes of the Museum.
9. Specimens must be kept at premises owned or occupied by those Museums listed on Annex A, but may be loaned on a temporary basis to another Museum or scientific institution.
10. The “Appointed Persons” shall permit an officer of Natural Resources Wales, accompanied by such persons as he/she considers necessary for the purpose, on production of his/her identification on demand, reasonable access to records and collected specimens for the purpose of ascertaining whether the conditions of this licence are being, or have been, complied with. The authorised personnel shall give all reasonable assistance to an officer of Natural Resources Wales and any persons accompanying him/her.
11. The Licensee ensures that:
 - a. Natural Resources Wales are notified of any material offered to a member of the Museum in advance of accepting the items.
 - b. all incoming collections accepted by the Museum are appropriately recorded and, where appropriate, accessioned in a timely manner under the provision made by the British Museum Act 1963.

- c. all specimens held under this licence must be catalogued and a permanent register must be kept and updated on an annual basis. This information is to be made available for inspection by Natural Resources Wales at any reasonable time.
- 12. Failure to comply with the terms and conditions of this licence (including the recording requirements) will, by default, render this licence null and void and it may not be relied upon until such time that Natural Resources Wales confirms in writing that its use may resume.
- 13. Natural Resources Wales expects to be informed of all breaches to this licence, and the licensed organisation must take the necessary steps to address any breaches or poor practice identified.
- 14. Subject to condition 15, any organisation or person relying on this licence by virtue of being listed on Annex A or by virtue of being an employee or subcontractor of an Annex A listed organisation must notify the Species Protection Team at Natural Resources Wales (NRW) in writing, giving their contact details, including their email address, within one month of the date of first possession of the specimen.
- 15. Where a Museum has notified NRW pursuant to condition 14. above, those relying on this licence by virtue of being an employee or sub-contractor of that organisation do not need to notify NRW separately.
- 16. Couriers and postal services do not need to notify NRW separately or keep a register of specimens where they are acting on behalf of a Museum listed on Annex A, who has notified NRW as required in Condition 14.

NOTES

- N1. This licence covers possession of specimens that were taken from the wild after the 'relevant date' without contravention of any applicable law of the member State in which it was taken. In the UK for example, this would mean without contravention of relevant wildlife legislation such as the Habitats Regulations (1994), the Wildlife and Countryside Act (1981), the Pests Act (1954) and the Animal Welfare Act (2007).
- N2. The Licensee is reminded that, in relation to conditions relating to Nationally Protected Species, anything done that is not under and in accordance with the terms of this licence may result in a criminal offence being committed under sections 1, 5, 6 (3), 7, 8, 9 (1 – 2), 9 (4 – 4A), 11 (1 – 2) and 13 (1) of the Wildlife and Countryside Act 1981.
- N3. This licence may be modified or revoked at any time by NRW.
- N4. Nothing in this licence confers any exemption from any legal provision contained in any Act, other than the Act(s) under which this licence is issued. Where appropriate licences should be obtained from the Home Office to fulfil the requirements of the Animals (Scientific Procedures) Act 1986.
- N6. The personal information on this licence will be kept and used by us in accordance with the General Data Protection Regulation (GDPR). We may discuss licence content with selected third parties. Other than stated above, we will not make the personal data on this licence available to third parties unless there is an overriding public interest. The GDPR gives you the right to know what data we hold about you, how we use it, to which third parties it is disclosed, and that it is accurate. To exercise this right please contact the Data Protection Officer at NRW.
- N7. You agree to complete a licence report with details of required biodiversity records collected in association with this licence. We have your permission to store, copy, use, and release or publish any biodiversity records associated with the issue of this licence. Where our policy on

public access to data states that the information is sensitive, publication and access will be restricted in accordance with both the Environmental Information Regulations (2004) and our guidance on access to data on sensitive biodiversity features. We may share the biodiversity records supplied with conservation organisations selected by us. Where our policy on public access to data states that the information is sensitive any such release will be under restrictive licence conditions in accordance with our guidance on access to data on sensitive biodiversity features. Please note that an inadequate return will prejudice future licence applications

- N8. Biodiversity records associated with the issue of this licence must be as reliable and accurate possible and collected with all necessary permissions.
- N9. We acknowledge that biological records collected in relation to this licence, unless collected under a contract (with alternate provisions relating to Intellectual Property Rights) for us or a Third Party, remain the intellectual property of the licence holder. In all cases we will seek to acknowledge intellectual property and not use any biological records collected under licence beyond the purposes stated above.

Annex A

Abergavenny
Brecknock
Carmarthenshire
Chepstow
Ceredigion
Cyfarthfa Castle
Llanidloes/ Powysland
Rhayader
Scolton Manor
Swansea
Tenby
The Regimental Museum of The Royal Welsh