

Licence No: **GEN / WCA / 010 / 2020**

Valid From: **1<sup>st</sup> January 2020**

Expiry: **31<sup>st</sup> December 2020**

**WILDLIFE AND COUNTRYSIDE ACT 1981 (AS AMENDED)**

**LICENCE TO PERMIT THE SALE OF CERTAIN CAPTIVE BRED SPECIES OF LIVE BIRD**

This licence, granted under Section 16(4) (a), 16(5) and 16(5)(a) of the Wildlife and Countryside Act 1981 (as amended), by the Natural Resource Body for Wales otherwise known as Natural Resources Wales (NRW), being satisfied that as regards the purpose set out at paragraph 1 that there is no other satisfactory solution, permits authorised persons to carry out a range of activities against the birds of the species listed and hereby grants the following licence which applies only in Wales: -

1. This licence permits the sale of certain captive-bred live wild birds, subject to paragraph 2 below.
2. For the purposes set out in paragraph 1 above and subject to the conditions below, this licence permits:
  - (i) the sale (which in this licence includes hire, barter or exchange), offer or exposure for sale, possession or transport for the purpose of sale; or
  - (ii) the publication, or the causing to be published, of any advertisement likely to be understood as conveying the buying or selling, or the intention of buying or selling;

of any captive bred (as defined by Condition 3 below), live, wild bird of a species **not** listed in:

- a. Appendix 1 of this licence (birds which may only be sold under an individual licence from Natural Resources Wales); or
- b. Annex A of Council Regulation (EC) No. 338/97, unless an Article 10 certificate has already been obtained; or
- c. Schedule 3 Part 1 of the Wildlife and Countryside Act 1981 ('the Act') (which are already permitted to be sold as long as statutory ringing requirements are met, see Note 3).

The works 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. Any bird sold under this licence must have been bred in captivity. A bird shall not be treated as 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, hire, barter or exchange. See Note 3 for details.
2. With the exception of the birds listed in Appendix 2 of this licence (which may be sold without a ring), any bird sold under this licence must be ringed with a legible, individually numbered, metal close ring. This is a ring / band in a continuous circle (without any break, join, or any signs of tampering since manufacture), which cannot be removed from the bird when its leg is fully grown. The ring must meet the ringing requirements of the country in which the bird was bred. For any bird sold under this licence which is on Schedule 4 to the Act, the close ring must meet the marking requirements of CITES.
3. The owner of any bird to be sold under this licence will, if requested by an Official acting on behalf of Natural Resources Wales, or a Police Officer, make the bird available for a sample of blood, tissue or feather to be taken from the bird to be sold. The sample will be taken by a qualified veterinary surgeon. Such a sample may be used to establish the ancestry of the bird.
4. No person convicted of an offence to which this paragraph applies may use this licence unless, in respect of that offence, either (1) they were dismissed with an admonition, or (2) they are a rehabilitated person for the purposes of the Rehabilitation of Offenders Act 1974 and their conviction is treated as spent. A person may also use this licence where, in respect of such an offence, a court has made an order discharging them absolutely. This paragraph applies to offences under the Wildlife and Countryside Act 1981, the Deer Act 1991, the Wild Mammals (Protection) Act 1996, the Hunting Act 2004, the Conservation of Habitats and Species Regulations 2017, the Protection of Badgers Act 1992 and the Animal Welfare Act 2006 (all as amended).
5. Failure to act within the purpose of this licence as set out in paragraph 1 or failure to comply with the terms and conditions of the licence may mean that the licence cannot be relied upon and an offence could therefore be committed. The maximum penalty available for an offence under the Act is a level 5 fine (£5,000) and/or a six month custodial sentence

**NOTES**

1. The Wildlife and Countryside (Ringing of Certain Birds) Regulations 1982 (SI 1982/1220) specifies how captive-bred birds should be ringed. Close rings can be obtained from the British Bird Council or the International Ornithological Association.
2. Persons intending to rely on this general licence must be able to demonstrate that birds are legally held and captive-bred, and are advised: only to purchase birds from breeders who are able to satisfactorily demonstrate that they are complying with relevant regulations; to confirm, insofar as they are able, the bird's identification and age are correct; to check that the bird is correctly ringed, and always to obtain signed and dated written documentary evidence of captive-breeding from the breeder. Documentation should cite the bird's species, ring number and any other identification mark (eg microchip), hatch date, along with details for the parent birds, and the breeder's contact details.
3. Bird listed on Schedule 3 Part 1 of the Act are already permitted to be sold under the Act, providing the ringing requirements of SI 1982/1220 are met.
4. A licence in similar terms has been issued by Natural England in respect of England and by the Scottish Executive in respect of Scotland.
5. This licence may be modified or revoked at any time.

**APPENDIX 1: Birds that cannot be sold under this licence**

Mute Swan	Cygnus olor
Ruddy Duck	Oxyura jamaicensis
Egyptian Goose	Alopochen aegyptiacus

**APPENDIX 2: Birds that do not need a ring to be sold under this licence**

Mandarin Duck	<i>Aix galericulata</i>
Carolina / Wood Duck	<i>Aix sponsa</i>
Pintail	<i>Anas acuta</i>
American Wigeon	<i>Anas americana</i>
Shoveler	<i>Anas clypeata</i>
Common Teal	<i>Anas crecca</i>
Blue-winged Teal	<i>Anas discors</i>
Wigeon	<i>Anas penelope</i>
Mallard	<i>Anas platyrhynchos</i>
Garganey	<i>Anas querquedula</i>
Black Duck	<i>Anas rubripes</i>
Gadwall	<i>Anas strepera</i>
White-fronted Goose	<i>Anser albifrons</i>
Greylag Goose	<i>Anser anser</i>
Pink-footed Goose	<i>Anser brachyrhynchus</i>
Snow Goose	<i>Anser caerulescens</i>
Lesser White-fronted Goose	<i>Anser erythropus</i>
Bean Goose	<i>Anser fabalis</i>
Ring-necked Duck	<i>Aythya collaris</i>
Pochard	<i>Aythya ferina</i>
Tufted Duck	<i>Aythya fuligula</i>
Scaup	<i>Aythya marila</i>
Canada Goose	<i>Branta canadensis</i> *
Barnacle Goose	<i>Branta leucopsis</i>
Brent Goose	<i>Branta bernicla</i>
Goldeneye	<i>Bucephala clangula</i>
Long-tailed Duck	<i>Clangula hyemalis</i>
Bewick's Swan	<i>Cygnus bewickii</i>
Whooper Swan	<i>Cygnus cygnus</i>
Harlequin Duck	<i>Histrionicus histrionicus</i>
Velvet Scoter	<i>Melanitta fusca</i>
Common Scoter	<i>Melanitta nigra</i>
Surf Scoter	<i>Melanitta perspicillata</i>
Smew	<i>Mergus albellus</i>
Hooded Merganser	<i>Mergus cucullatus</i>
Goosander	<i>Mergus merganser</i>
Red-breasted Merganser	<i>Mergus serrator</i>
Red-crested Pochard	<i>Netta rufina</i>
Stellers Eider	<i>Polysticta stelleri</i>
Eider Duck	<i>Somateria mollissima</i>
King Eider	<i>Somateria spectabilis</i>
Ruddy Shelduck	<i>Tadorna ferruginea</i>
Shelduck	<i>Tadorna tadorna</i>

\* except *Branta canadensis leucopareia* - Aleutian Canada Goose