

WILDLIFE AND COUNTRYSIDE ACT 1981

**LICENCE TO KEEP CERTAIN WILD BIRDS
FOR THE PURPOSE OF REHABILITATION**

PURPOSE

Scottish Ministers, in exercise of the powers conferred on them by Section 16(1)(c) and 16(5) of the Wildlife and Countryside Act (WCA) 1981, and after consultation with Scottish Natural Heritage, hereby grant this licence for the purpose of the rehabilitation of disabled wild birds, but always subject to the following conditions.

CONDITIONS

1. Section 7(1)-(2) of the WCA (including the regulations made under it) shall not apply in respect of an authorised person keeping or having in his possession or under his control a disabled wild-bred Schedule 4 bird for the purpose described above.
2. This licence only has effect in respect of the period of 15 days commencing with the day on which the authorised person takes into his possession or control the disabled wild-bred Schedule 4 bird.
3. The Licence shall not apply to any person who would be guilty of an offence under Section 7(3) by having in his possession or control a bird on Schedule 4.
4. The authorised person shall, within 4 days commencing with the day on which he takes into his control a disabled wild-bred Schedule 4 bird, notify that fact in writing to the Scottish Ministers.
5. The authorised person shall keep a record of each such disabled bird coming into his possession or control. That record shall contain the following information:
 - The species of bird, and the date on which it was taken into possession or control by the authorised person.
 - The name and address of the person from whom the bird was received (if applicable), and the time and place the bird was taken.
 - The injuries sustained by the bird at the time the authorised person took it into possession or control.
 - The cause of those injuries (if known).
 - The date and place that the bird was released back into the wild (if applicable).
6. The record shall be kept for a period of 2 years from the date the bird came into the possession or control of the authorised person.
7. Within four months of the date on which an authorised person takes into possession or control a disabled wild-bred Schedule 4 bird, that person shall send to the Scottish

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Government, Landscapes and Habitats Division a copy of the record maintained in accordance with paragraph 6 above.

8. If so required in writing by Scottish Ministers, the authorised person shall produce the record to a person authorised in writing by the Scottish Ministers.
9. The transfer by an authorised person to any other person of any disabled wild-bred Schedule 4 bird held in accordance with the terms of this licence is not permitted, except when urgent medical attention is required.
10. Any disabled wild-bred Schedule 4 bird held in excess of the 15 days mentioned in paragraph 3 of the licence shall be registered in accordance with Section 7(1)-(2) of the 1981 Act and the regulations made under it. In such a case, the Scottish Ministers may require, with the application for registration, a certificate by a qualified veterinary surgeon or veterinary practitioner that it is not possible to return the bird to the wild within the 15 days because of its injuries or illness.
11. Every effort must be made to ensure that any disabled wild bird falling within the terms of this licence does not become imprinted or otherwise rendered unfit, as a consequence of being in captivity, for subsequent release back into the wild.

DEFINITIONS

12. In this licence “authorised person” means any person who:

- a. Is a full time official of the RSPB (Royal Society for Protection of Birds)

or
- b. Is an inspector or animal welfare staff member of the SSPCA (Scottish Society for Prevention of Cruelty to Animals), or a person being trained by such a person

or
- c. has previously been accepted within the Department of the Environment Licensed Rehabilitation Keeper (LRK) scheme or who was permitted to keep birds for rehabilitation under the terms of DOE licence WLF100099, which replaced the LRK scheme.

or
- d. has been a registered keeper of three disabled wild-bred Schedule 4 birds pursuant to Section 7(1)-(2) of the Act and the regulations made under it, and who has subsequently notified the Scottish Ministers that such birds have been successfully released into the wild; or

or
- e. a constable or employee of a police force.

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13. In this licence “a wild-bred Schedule 4 bird” means a wild bird included in Schedule 4 to the Wildlife and Countryside Act 1981 other than a bird treated as bred in captivity within the meaning of Section 27(2) of the Act. Reference to regulations made under the Act in regard to registration and ringing provisions shall have regard to the Wildlife and Countryside Act (Registration and Ringing of Certain Captive Birds) Regulations 1982, SI 1982/1221 as amended by SI 1991/478 and SI 1994/1151.
14. This licence is valid in Scotland, unless previously revoked, for the period **01 January 2009 to 31 December 2009.**



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