

Licence No: **GEN/WCA/021/2023**

Valid From: **1st January 2023**

Expiry: **31st December 2027**

CONSERVATION OF HABITATS AND SPECIES REGULATIONS 2017 (as amended)

Licence to possess and transport dead specimens and/or derivatives of wild plant and animal species listed on Annex IV and II(b) of the Habitats Directive for scientific or educational purposes

This licence is primarily intended for use by museums, research and educational establishments

Natural Resources Body for Wales (Natural Resources Wales), in exercise of the powers conferred under regulation 55 of the Conservation of Habitats and Species Regulations 2017, and being satisfied that as regards the purpose set out at paragraph 1, there is no satisfactory alternative and that the action authorised will not be detrimental to the maintenance of the populations of the species concerned at a favourable conservation status in their natural range, hereby grants the following licence:

LICENCE	
1)	This licence authorises activities undertaken for scientific or educational purposes.
2)	Subject to the terms and conditions below, and for the purposes set out in paragraph 1 above, this licence permits the possession and transport of dead specimens and/or derivatives of wild animals and plants listed on Annex IV and wild plants (except bryophytes) listed on Annex II(b) to the EC Habitats Directive that would otherwise be an offence under regulations 43(3)(a) or (b) (animals) or 46(2)(a) or (b) (plants) of the Conservation of Habitats and Species Regulations 2017.

CONDITIONS	
3)	This licence covers employees and persons sub-contracted by the organisations listed in Annexes A or B while acting on behalf of these organisations. It also covers the possession and transport of specimens by members of the public when providing such specimens to these organisations provided that such specimens are submitted as soon as reasonably practical. The possession and/or transportation of species listed on Annex IV or Annex II(b) of the Habitats Directive by employees and persons sub-contracted by organisations listed on Annex A or B for their personal purposes is not covered by this licence.
4)	This licence only authorises the possession and transport of dead specimens and/or derivatives of wild animals and plants listed on Annex IV or Annex II(b) (except bryophytes) to the EC Habitats

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Cyfoeth Naturiol Cymru / Natural Resources Wales, Maes y Ffynnon, Penrhosgarnedd, Bangor, Gwynedd, LL57 2DW

Croesewir gohebiaeth yn y Gymraeg a'r Saesneg

Correspondence welcomed in Welsh and English

	Directive that-
a)	are kept and transported for the purposes of science or education only; and
b)	were taken from the wild in the European Community without breaching applicable legislation of the member State in question (see Note d).
5)	Subject to condition 6, 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.
6)	Where an organisation has notified NRW pursuant to condition 5 above, those relying on this licence by virtue of being an employee or sub-contractor of that organisation do not need to separately notify NRW
7)	Specimens must be catalogued and a register of specimens must be kept and updated on an annual basis in accordance with the requirements of Annex C. This information is to be made available for inspection at any reasonable time by Natural Resources Wales.
8)	Couriers and postal services do not need to separately notify NRW or keep a register of specimens where they are acting on behalf of an organisation or person listed on Annex A, who has notified NRW as required in Condition 5 or an organisation or person listed on Annex B.
9)	This licence applies in Wales, landward of the mean low water mark.

Signed for and on behalf of
Natural Resources Wales

NOTES	
(a)	The possession and transport of dead specimens and/or derivatives of species listed on Annex IV or Annex II(b) (except bryophytes) to the EC Habitats Directive (92/43/EEC) are prohibited by regulation 43 (animals) and 46 (plants) of the Conservation of Habitats and Species Regulations 2017. The Habitats Regulations may be found at: http://www.legislation.gov.uk/ukxi/2017/1012/contents/made
(b)	This prohibition extends to all species listed in Annex IV (animals and plants) and Annex II(b) (plants) (except bryophytes) and not just those found in the UK. A full list of Annex IV and Annex II (b) species is available online at: The Habitats Directive - Environment - European Commission (europa.eu)
(c)	There are certain exceptions to the prohibitions in regulations 43 (3) and 47 (2):
(i)	where the specimen was taken from the wild outside the European territory of a European Union Member State or was captive bred or cultivated;
(ii)	where the specimen was taken from the wild in the United Kingdom without contravention of the law and before 10 June 1994;
(iii)	where the specimen was taken from the wild before the 'relevant date' in the European Union Member State in question without contravention of the law of that Member State. In the UK the relevant date is 10 June 1994. In other Member States the relevant date is 10 June 1994 or, where the Member State joined the European Union after that date, the date it joined the European Union;
(iv)	where the specimen is of an exempted species, namely those listed in Schedule 3 to the Conservation of Habitats and Species Regulations 2017
(d)	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 Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife and Countryside Act (1981), the Pests Act (1954) and the Animal Welfare Act (2006).
(e)	This licence authorises acts which would otherwise be an offence under the Conservation of Habitats and Species Regulations 2017. Failure to act within the purposes of this licence as set out in paragraph 1 or failure to comply with the terms and conditions as set out in paragraphs 3 to 9 may mean that the licence cannot be relied upon and an offence committed. Furthermore, under regulation 60 of the Regulations it is an offence to contravene or fail to comply with any condition of a licence issued after 21 August 2007. The maximum penalty available for an offence under the Regulations is a level 5 fine (£5000) and/or a six month custodial sentence.
(f)	This licence does not extend to volunteers or individuals registered as members of those organisations listed annexes A or B in a voluntary capacity. The possession and/or transportation of species listed on Annex IV or Annex II(b) of the Habitats Directive by employees and persons sub-contracted by organisations listed on Annex A or B for their personal purposes is not covered by this licence
(g)	This licence does not permit actions prohibited under any other legislation, nor does it confer any right of entry on to land.
(h)	This licence may be modified or revoked at any time by Natural Resources Wales.
(i)	A licence in similar terms has been issued in England by Natural England.
(j)	Any person intending to carry out activities under this licence are advised to print, sign and date a copy and retain it for inspection.

This licence only applies to the organisations and persons listed in condition 3 above:

ANNEX A

1. Museums with full accreditation under the Museums Accreditation Scheme, which is operated by the Museums, Libraries and Archives Council (www.mla.gov.uk);
2. Educational establishments.

ANNEX B

1. Defra Central Science Laboratory;
2. Defra Veterinary Laboratories Agency;
3. Welsh Government;
4. Zoological Society of London and the Institute of Zoology, London;
5. Natural Resources Wales;
6. Natural Environment Research Council, through its component research centres (The British Antarctic Survey, The British Geological Survey, The Centre for Ecology and Hydrology and The Proudman Oceanographic Laboratory) and its associated collaborative centres (The National Oceanography Centre, The Plymouth Marine Laboratory, The Scottish Association for Marine Science and The Sea Mammal Research Unit);
7. Royal Botanic Gardens (Kew);
8. National Botanic Garden of Wales;
9. UK Cetacean Strandings;
10. Field Studies Council field centres;
11. All Welsh local planning authorities.
12. All Welsh police forces

ANNEX C**Register of specimens**

The register of Annex IV and Annex II(b) specimens must include the information stipulated in the table below and be presented in the format shown. A copy of the register is to be kept electronically in a format that is compatible with Microsoft Excel.

Scientific name	Common name	Whole specimen (Yes/No)	If No, specify the part or derivative	Number	Date came into your possession
<i>Example:</i> <i>Nyctalus noctula</i>	Noctule bat	No	Skeleton	1	01/05/2007