



Wildlife and Countryside Act 1981

1981 CHAPTER 69

PART I

WILDLIFE

Protection of birds ^[F1] and prevention of poaching

7 Registration etc. of certain captive birds. **E+W**

- (1) If any person keeps or has in his possession or under his control any bird included in Schedule 4 which has not been registered and ringed or marked in accordance with regulations made by the Secretary of State, he shall be guilty of an offence ^{F2}. . . .
- (2) The power of the Secretary of State to make regulations under subsection (1) shall include power—
 - (a) to impose requirements which must be satisfied in relation to a bird included in Schedule 4 before it can be registered in accordance with the regulations; and
 - (b) to make different provision for different birds or different descriptions of birds.

^[F3](2A) The Secretary of State may charge such reasonable sum (if any) as he may determine in respect of any registration effected in accordance with regulations under subsection (1).]

- (3) If any person keeps or has in his possession or under his control any bird included in Schedule 4—
 - (a) within five years of his having been convicted of an offence under this Part ^[F4]which falls within subsection (3A)]; or
 - (b) within three years of his having been convicted of any other offence under this Part so far as it relates to the protection of birds or other animals or any offence involving their ill-treatment,he shall be guilty of an offence.

^[F5](3A) The offences falling within this subsection are—

Status: There are multiple versions of this provision on screen. These apply to different geographical extents. Skip to: E+W - England and Wales extent S - Scotland extent

Changes to legislation: Wildlife and Countryside Act 1981, Section 7 is up to date with all changes known to be in force on or before 05 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (a) any offence under section 1(1) or (2) in respect of—
- (i) a bird included in Schedule [^{F6}Z A1 or] 1 or any part of, or anything derived from, such a bird,
 - (ii) the nest of such a bird, or
 - (iii) an egg of such a bird or any part of such an egg;
- (b) any offence under section 1(5) or 5;
- (c) any offence under section 6 in respect of—
- (i) a bird included in Schedule [^{F6}Z A1 or] 1 or any part of, or anything derived from, such a bird, or
 - (ii) an egg of such a bird or any part of such an egg;
- [^{F7}(ca) any offence under subsection (1);]
- (d) any offence under section 8.]
- (4) If any person knowingly disposes of or offers to dispose of any bird included in Schedule 4 to any person—
- (a) within five years of that person's having been convicted of such an offence as is mentioned in paragraph (a) of subsection (3); or
 - (b) within three years of that person's having been convicted of such an offence as is mentioned in paragraph (b) of that subsection,
- he shall be guilty of an offence.
- (5) No account shall be taken for the purposes of subsections (3) and (4) of any conviction which has become spent for the purpose of the ^{M1}Rehabilitation of Offenders Act 1974.
- ^{F8}(6)
- ^{F8}(7)

Extent Information

- E1** This version of this provision extends to England and Wales only; a separate version has been created for Scotland only

Textual Amendments

- F2** Words in s. 7(1) repealed (E.W.) (30.1.2001) by 2000 c. 37, ss. 102, 103(2), **Sch. 16 Pt. IV** (with **Sch. 12 para. 10(6)**)
- F3** S. 7(2A) inserted (21.3.1997) by 1997 c. 55, **s. 1(2)**
- F4** Words in s. 7(3)(a) substituted (E.W.) (30.1.2001) by 2000 c. 37, ss. 81(1), 103(2), **Sch. 12 para. 4(1)**
- F5** S. 7(3A) inserted (E.W.) (30.1.2001) by 2000 c. 37, ss. 81(1), 103(2), **Sch. 12 para. 4(2)**
- F6** Words in s. 7(3A)(a)(i)(c)(i) inserted (E.W.) (31.5.2006) by Natural Environment and Rural Communities Act 2006 (c.16), **ss. 47(4)(b)**, 107; S.I. 2006/1382, **art. 2**
- F7** S. 7(3A)(ca) inserted (E.W.) (1.10.2006) by Natural Environment and Rural Communities Act 2006 (c.16), **ss. 49, 107**; S.I. 2006/2541, **art. 2**
- F8** S. 7(6)(7) repealed (E.W.) (30.1.2001) by 2000 c. 37, ss. 102, 103(2), **Sch. 16 Pt. IV** (with **Sch. 12 para. 10(6)**)

Modifications etc. (not altering text)

- C1** S. 7(2A): power to transfer functions conferred (1.5.2000) by S.I. 2000/745, **art. 2(1)**, **Sch.**

Status: There are multiple versions of this provision on screen. These apply to different geographical extents. **Skip to:** E+W - England and Wales extent S - Scotland extent

Changes to legislation: Wildlife and Countryside Act 1981, Section 7 is up to date with all changes known to be in force on or before 05 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Marginal Citations

M1 1974 c. 53.

7 Registration etc. of certain captive birds. **S**

- (1) If any person keeps or has in his possession or under his control any bird included in Schedule 4 which has not been registered and ringed or marked in accordance with regulations made by the Secretary of State, he shall be guilty of an offence ^{F9}
- (2) The power of the Secretary of State to make regulations under subsection (1) shall include power—
 - (a) to impose requirements which must be satisfied in relation to a bird included in Schedule 4 before it can be registered in accordance with the regulations; and
 - (b) to make different provision for different birds or different descriptions of birds.
- ^{F10}(2A) The Secretary of State may charge such reasonable sum (if any) as he may determine in respect of any registration effected in accordance with regulations under subsection (1).]
- (3) If any person keeps or has in his possession or under his control any bird included in Schedule 4 ^{F11} within five years of his having been convicted of—
 - (a) an offence under this Part (being an offence relating to the protection of birds or other animals); ^{F12}
 - (b) any other offence involving their ill-treatment ^{F13}; or
 - (c) any offence under the ^{F14}Control of Trade in Endangered Species Regulations 2018 (S.I. 2018/703)] relating to birds (other than an offence ^{F15} under paragraph 2 of Schedule 1 to those Regulations which consists of the conduct specified in the table in that paragraph as the subject-matter of Regulation 8(6) of those Regulations)]he shall be guilty of an offence.
- (4) If any person knowingly disposes of or offers to dispose of any bird included in Schedule 4 to any person ^{F16} within five years of that person's having been convicted of such an offence as is mentioned in subsection (3),] he shall be guilty of an offence.
- (5) No account shall be taken for the purposes of subsections (3) and (4) of any conviction which has become spent for the purpose of the ^{M2}Rehabilitation of Offenders Act 1974.
- ^{F17}(5A) Subject to the provisions of this Part, any person who knowingly causes or permits to be done an act which is made unlawful by any of the foregoing provisions of this section shall be guilty of an offence.]

^{F18}(6)

^{F18}(7)

Extent Information

E2 This version of this provision extends to Scotland only; a separate version has been created for England and Wales only

Status: There are multiple versions of this provision on screen. These apply to different geographical extents. Skip to: E+W - England and Wales extent S - Scotland extent

Changes to legislation: Wildlife and Countryside Act 1981, Section 7 is up to date with all changes known to be in force on or before 05 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Textual Amendments

- F9** Words in s. 7(1) repealed (S.) (26.3.2003) by [Criminal Justice \(Scotland\) Act 2003 \(asp 7\)](#), s. 86, **Sch. 5**
- F10** S. 7(2A) inserted (21.3.1997) by [1997 c. 55, s. 1\(2\)](#)
- F11** S. 7(3): paras. (a)(b) and preceding words substituted (S.) (26.3.2003) for paras. (a)(b) by [Criminal Justice \(Scotland\) Act 2003 \(asp 7\)](#), ss. 77, 89(2)(b), **Sch. 3 para. 2**
- F12** Word in s. 7(3)(a) repealed (S.) (1.10.2004) by [Nature Conservation \(Scotland\) Act 2004 \(asp 6\)](#), ss. 50, 59, **Sch. 6 para. 7(a)**; S.S.I. 2004/407, **art. 2**
- F13** S. 7(3)(c) and preceding word inserted (S.) (1.10.2004) by [Nature Conservation \(Scotland\) Act 2004 \(asp 6\)](#), ss. 50, 59, **Sch. 6 para. 7(b)**; S.S.I. 2004/407, **art. 2**
- F14** Words in s. 7(3)(c) substituted (S.) (6.11.2019) by [The Control of Trade in Endangered Species \(Miscellaneous Amendments\) Regulations 2019 \(S.I. 2019/1354\)](#), regs. 1, **2(a)**
- F15** Words in s. 7(3)(c) substituted (S.) (6.11.2019) by [The Control of Trade in Endangered Species \(Miscellaneous Amendments\) Regulations 2019 \(S.I. 2019/1354\)](#), regs. 1, **2(b)**
- F16** S. 7(4)(a)(b) substituted (S.) (26.3.2003) for words by [Criminal Justice \(Scotland\) Act 2003 \(asp 7\)](#), ss. 77, 89(2)(b), **Sch. 3 para. 3**
- F17** S. 7(5A) inserted (S.) (1.1.2012) by [Wildlife and Natural Environment \(Scotland\) Act 2011 \(asp 6\)](#), **ss. 21(3)**, 43(1) (with s. 41(1)); S.S.I. 2011/433, **art. 2(1)(e)**
- F18** S. 7(6)(7) repealed (S.) (2.7.2012) by [Wildlife and Natural Environment \(Scotland\) Act 2011 \(asp 6\)](#), **ss. 22(3)**, 43(1) (with s. 41(1)); S.S.I. 2012/175, **art. 2(1)(d)**

Modifications etc. (not altering text)

- C2** S. 7(2A): power to transfer functions conferred (1.5.2000) by [S.I. 2000/745](#), **art. 2(1)**, **Sch.**

Marginal Citations

- M2** [1974 c. 53](#).

Status:

There are multiple versions of this provision on screen. These apply to different geographical extents.

Skip to:

- E+W - England and Wales extent
- S - Scotland extent

Changes to legislation:

Wildlife and Countryside Act 1981, Section 7 is up to date with all changes known to be in force on or before 05 June 2024. There are changes that may be brought into force at a future date.

Changes that have been made appear in the content and are referenced with annotations.

View outstanding changes

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 2(1A)-(1D) substituted for s. 2(1A) by 2024 asp 4 s. 9(2)(a)
- s. 2(3A)(a)(ii) word repealed by 2024 asp 4 s. 9(2)(b)(i)
- s. 2(3C)(c) and word inserted by 2024 asp 4 s. 9(2)(b)(ii)
- s. 11(1)(ab)-(ad) substituted for s. 11(1)(a)(aa) by 2024 asp 4 s. 6(2)(a)
- s. 11(2)(aa)(ab) inserted by 2024 asp 4 s. 6(2)(c)(ii)
- s. 11(2A) inserted by 2024 asp 4 s. 1(6)(b)
- s. 11(3CA) inserted by 2024 asp 4 s. 6(2)(e)
- s. 12A-12G and cross-heading inserted by 2024 asp 4 s. 7(2)
- s. 16(1A)(c)(d) inserted by 2024 asp 4 s. 6(4)(a)(ii)
- s. 16A(ab) inserted by 2024 asp 4 s. 7(4)(b)
- s. 16A(1A) inserted by 2024 asp 4 s. 7(4)(a)
- s. 16A(1B) inserted by 2024 asp 4 s. 10(3)(a)
- s. 16A(5)(aa) inserted by 2024 asp 4 s. 10(3)(c)
- s. 16A(5A) inserted by 2024 asp 4 s. 10(3)(d)
- s. 16A(5B) inserted by 2024 asp 4 s. 7(4)(c)
- s. 16AA-16AF inserted by 2024 asp 4 s. 10(2)
- s. 21(ga)(gb) inserted by 2024 asp 4 s. 7(6)
- s. 26(2)(c) inserted by 2024 asp 4 s. 7(7)(a)(ii)
- s. 26(2)(d) inserted by 2024 asp 4 s. 9(3)(a)
- s. 26(2)(d)(e) inserted by 2024 asp 4 s. 10(5)(a)
- s. 26(2)(f) and word inserted by 2024 asp 4 s. 6(7)(a)
- s. 26(3)(c) inserted by 2024 asp 4 s. 7(7)(b)(ii)
- s. 26(3)(d) inserted by 2024 asp 4 s. 9(3)(b)
- s. 26(3)(d)(e) inserted by 2024 asp 4 s. 10(5)(b)
- s. 26(3)(f) and word inserted by 2024 asp 4 s. 6(7)(b)
- s. 53(3)(c)(ia) inserted by 2015 c. 20 Sch. 7 para. 2(b)
- s. 53B(4A)(4B) inserted by 2015 c. 20 Sch. 7 para. 4
- s. 53ZA inserted by 2015 c. 20 Sch. 7 para. 3
- s. 54B54C inserted by 2015 c. 20 Sch. 7 para. 5
- Sch. 2 Pt. 1B inserted by 2024 asp 4 s. 9(5)
- Sch. 13A inserted by 2015 c. 20 Sch. 7 para. 6
- Sch. 14A inserted by 2015 c. 20 Sch. 7 para. 7