



Wildlife and Countryside Act 1981

CHAPTER 69

This is an extract from a scanned copy of the Wildlife and Countryside Act 1981, **as at the time when it received Royal Assent**. The Act remains one of the most important pieces of wildlife legislation in Great Britain, but it is important to be aware that **this document does not represent the Act as it currently stands**.

Please Note:

- Since the passing of the Wildlife and Countryside Act 1981 there have been various amendments to the text of the Act, most significantly through the [Countryside and Rights of Way \(CROW\) Act 2000](#) (in England and Wales) and the [Nature Conservation \(Scotland\) Act 2004](#) (in Scotland), but also through other legislation including the Local Government Act 1985, the Water Act 1989, and the Environmental Protection Act 1990 (**PLEASE NOTE:** This is not a complete list of amending legislation).
- There have also been changes to the species listed in the schedules, through Variations to the Schedules Orders. There is a statutory five-yearly review of Schedules 5 and 8 (protected wild animals and plant respectively), undertaken by the statutory conservation agencies and coordinated through JNCC, but changes to the Schedules can be made by the Secretary of State at any time, if it is considered necessary because of a threat of extinction or in response to international obligations. JNCC maintain a central spreadsheet of [conservation designations for all taxa](#) which includes any changes to the Schedules of the 1981 Wildlife and Countryside Act.
- When citing any legislation, it is important to check whether any parts of it have been amended (or repealed) by later Acts or Statutory Instruments. Most UK legislation introduced since 1988 is available online from the website of the Office of Public Sector Information <http://www.opsi.gov.uk/legislation>. If necessary, a qualified legal adviser should be consulted for definitive guidance over what legislation may be applicable, and its interpretation.

The remaining parts of this original text of the act can be found at www.jncc.gov.uk/page-3614

SCH. 5	<i>Common name</i>	<i>Scientific name</i>
	Newt, Great Crested (otherwise known as Warty newt)	<i>Triturus cristatus</i>
	Newt, Palmate (in respect of section 9(5) only)	<i>Triturus helveticus</i>
	Newt, Smooth (in respect of section 9(5) only)	<i>Triturus vulgaris</i>
	Otter, Common	<i>Lutra lutra</i>
	Porpoise, Harbour (otherwise known as Common porpoise)	<i>Phocaena phocaena</i>
	Slow-worm (in respect of section 9(5) only)	<i>Anguis fragilis</i>
	Snail, Carthusian	<i>Monacha cartusiana</i>
	Snail, Glutinous	<i>Myxas glutinosa</i>
	Snail, Sandbowl	<i>Catinella arenaria</i>
	Snake, Grass (in respect of section 9(5) only)	<i>Natrix helvetica</i>
	Snake, Smooth	<i>Coronella austriaca</i>
	Spider, Fen Raft	<i>Dolomedes plantarius</i>
	Spider, Ladybird	<i>Eresus niger</i>
	Squirrel, Red	<i>Sciurus vulgaris</i>
	Toad, Common (in respect of section 9(5) only)	<i>Bufo bufo</i>
	Toad, Natterjack	<i>Bufo calamita</i>

NOTE. The common name or names given in the first column of this Schedule are included by way of guidance only; in the event of any dispute or proceedings, the common name or names shall not be taken into account.

Sections 11 and
22.

SCHEDULE 6

ANIMALS WHICH MAY NOT BE

KILLED OR TAKEN BY CERTAIN METHODS

<i>Common name</i>	<i>Scientific name</i>
Badger	<i>Meles meles</i>
Bats, Horseshoe (all species)	Rhinolophidae
Bats, Typical (all species)	Vespertilionidae
Cat, Wild	<i>Felis silvestris</i>
Dolphin, Bottle-nosed	<i>Tursiops truncatus</i> (otherwise known as <i>Tursiops tursio</i>)
Dolphin, Common	<i>Delphinus delphis</i>
Dormice (all species)	Gliridae
Hedgehog	<i>Erinaceus europaeus</i>
Marten, Pine	<i>Martes martes</i>
Otter, Common	<i>Lutra lutra</i>
Polecat	<i>Mustela putorius</i>

<i>Common name</i>	<i>Scientific name</i>	SCH. 6
Porpoise, Harbour (otherwise known as Common porpoise)	Phocaena phocaena	
Shrews (all species)	Soricidae	
Squirrel, Red	Sciurus vulgaris	

NOTE. The common name or names given in the first column of this Schedule are included by way of guidance only ; in the event of any dispute or proceedings, the common name or names shall not be taken into account.

SCHEDULE 7

Section 12.

PROTECTION OF CERTAIN MAMMALS

The Ground Game Act 1880

1.—(1) Notwithstanding the provisions of section 6 of the Ground Game Act 1880, it shall not be unlawful for the occupier of any land himself, or one other person authorised by him under section 1 of that Act, to use firearms for the purpose of killing ground game thereon between the expiration of the first hour after sunset and the commencement of the last hour before sunrise if (except where he has the exclusive right) the occupier has the written authority of the other person or one of the other persons entitled to kill and take the ground game on the land. 1880 c. 47.

(2) In this paragraph "ground game" means hares and rabbits.

The Agriculture (Scotland) Act 1948

2.—(1) Notwithstanding the provisions of section 50(1)(a) of the Agriculture (Scotland) Act 1948, it shall not be unlawful for the owner of the shooting rights on any land or any person holding those rights from him, or subject to sub-paragraph (2) below the occupier of any land, to use a firearm for the purpose of killing ground game thereon between the expiration of the first hour after sunset and the commencement of the last hour before sunrise. 1948 c. 45.

(2) The occupier of any land shall not use a firearm as mentioned in sub-paragraph (1) above unless (except where he has the exclusive right) he has first obtained the written authority of the other person or one of the other persons entitled to kill and take the ground game on the land.

(3) An occupier who is entitled, in terms of this paragraph, to use a firearm for the purpose of killing ground game may, subject to the provisions of section 1 of the Ground Game Act 1880, authorise one other person so to use a firearm.

(4) In this paragraph "ground game" means hares and rabbits.