

General rules on game and hunting

You must:

- obtain permission
- have a game licence
- have valid certificates for any firearms.

A list of game birds and wildfowl (ducks and geese) which may be shot except during the close season is on our website www.snh.org.uk. Permission to shoot may be withdrawn during prolonged very cold winter weather.

Killing or capturing birds and animals

It is an offence to use any of the following methods to kill or capture wild birds or specially protected animals: hooks or nets; any form of artificial lighting or dazzling device; electrical devices; gas or smoke; poison; a live bird or animal as a decoy; bows or cross-bows; any sound recording used as a decoy; explosives; mechanically propelled vehicles; automatic weapons.

Use of snares

It is an offence to:

- set or use any snare that is calculated to cause unnecessary suffering
- set in position any snare (or trap, electrical device or poison) that is likely to cause injury to a specially protected animal
- possess or sell self-locking snares.

Snares must be checked at least once every day i.e. no more than 24 hours must pass between inspections. Any animal caught in a snare must be released or removed whether it is alive or dead. The permission of the landowner must be obtained to set a snare or to enter land in possession of a snare. Indiscriminate snaring of certain animals including European protected species and mountain hares is illegal.

Release of species into the wild

It is an offence to:

- release into the wild any animal or bird, unless it is ordinarily resident in Great Britain or visits regularly
- release into the wild certain listed species of birds or animals, most of which are not native to Britain but have become established here
- introduce into the wild a listed invasive plant
- have in your possession, transport, sell or advertise for sale, any listed non-native animal or plant.

Licences

Some of the actions restricted by law may be carried out under licence. Licences are issued by SNH or the Scottish Government for purposes which include: science or education; photography; ringing or marking birds or animals; conservation; health and public safety; air safety; preventing serious damage to property, crops, livestock, timber or fisheries; aviculture; taxidermy; falconry. Most licences are personal but general licences are available for the control of some bird species where they are clearly causing damage.

Travelling abroad

Internationally endangered species may not be imported or exported.

The import or export of live animals is also strictly controlled.

It is illegal to possess an animal or plant protected here even if it was obtained abroad.

Be aware that other countries may protect animals or plants not protected here.

Enforcement

The police and the procurators fiscal in Scotland enforce the laws to protect wildlife. If you see anything suspicious, for example a bird which appears to have been poisoned, you should inform the police as soon as possible by phoning 999, or your local police station. Or you can call Crimestoppers in confidence on 0800 555 111. Do not approach suspects yourself.

Further advice

Scottish Natural Heritage
Great Glen House
Leachkin Road
Inverness IV3 8NW
Tel: 01463 725 000
Email: enquiries@snh.gov.uk
www.snh.org.uk

Royal Society for the Protection of Birds
Dunedin House
25 Ravelston Terrace
Edinburgh EH4 3TP
Tel: 0131 311 6500
Email: rspb.scotland@rspb.org.uk
www.rspb.org.uk

Scottish Government Rural Directorate
Landscapes & Habitats Division
Victoria Quay
Edinburgh EH6 6QQ
Tel: 0131 556 8400
Email: ceu@scotland.gov.uk
www.scotland.gov.uk

Scottish Society for the Prevention of Cruelty to Animals
Braehead Mains
603 Queensferry Road
Edinburgh EH4 6EA
Tel: 0131 339 0222
Email: enquiries@scottishspca.org
www.scottishspca.org

Department of Environment, Food & Rural Affairs
(for UK general/offshore queries)
DEFRA Helpline, Information Resource Centre
Ergon House, c/o Nobel House
17 Smith Square
London SW1P 3JR
Tel: 08459 33 55 77
Email: helpline@defra.gsi.gov.uk
www.defra.gov.uk

Partnership for Action Against Wildlife Crimes
See DEFRA
www.defra.gov.uk/paw/

Crimestoppers
Tel: 0800 555 111

www.snh.org.uk

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Scottish Natural Heritage
All of nature for all of Scotland



Scottish Natural Heritage

Scotland's Wildlife: The Law and You





Goldfinch

This leaflet gives a brief introduction to Scotland's wildlife law. It is not a legal document. Scotland's wildlife is protected through Scots, European and wider international law. Wildlife offences differ according to the species in question and not all offences against individual species are listed here. Some of the activities listed here need to be committed recklessly, deliberately (intentionally) or wilfully to be offences. Others are more strictly regulated and require no reckless etc. behaviour. In addition, defences and exceptions exist for some activities. More precise details of wildlife offences can be found on our website at www.snh.org.uk

Wild birds

It is an offence to:

- kill or injure any wild bird
- capture or keep (alive or dead) any wild bird
- destroy or take the egg of any wild bird
- sell, or advertise for sale, any wild bird, or its eggs
- take, damage, destroy, obstruct or interfere with the nest of any wild bird while it is in use or being built.

For specially protected wild birds*

It is also an offence to:

- disturb them while they are building their nests
- disturb them while they have eggs or young
- disturb their young before they are wholly independent.

Capercaillie may not be disturbed at the leks where they meet to display. The white-tailed eagle, and its nest, may not be disturbed at any time of year.

*Specially protected birds which are nearly all very rare and threatened birds, are listed on our website www.snh.org.uk

Otters, red squirrels, wildcats, pine martens

It is an offence to:

- kill or injure them
- capture or keep them (alive or dead)
- destroy, damage or obstruct access to their place of shelter
- disturb them while they are using their place of shelter
- sell or advertise them or their parts for sale.

The otter and wildcat are examples of European protected species and are highly protected. A full list of protected animals including all European protected species is available on our website at www.snh.org.uk

Badgers

It is an offence to:

- take, injure or kill a badger
- possess, sell or advertise for sale a badger
- interfere with a badger sett which includes damaging or destroying a sett or any part of it, obstructing access to a sett, disturbing a badger whilst it is in a sett, or causing or allowing a dog to enter a badger sett.

Bats

It is an offence to:

- kill, injure or capture a bat
- disturb or harass a bat
- damage, destroy or obstruct access to a bat roost
- possess or transport a bat, or any part of a bat
- sell a bat, or any part of a bat.

Deer

- It is an offence to kill deer by means other than shooting.

Currently there are close seasons during which deer cannot be shot without authorisation from the Deer Commission for Scotland.* Only certain types of guns and ammunition may be used.

*During 2010 the Deer Commission for Scotland will merge with and become part of Scottish Natural Heritage.

Water voles

It is an offence to:

- damage, destroy or obstruct access to any structure or place which a water vole uses for shelter or protection
- disturb a water vole while it is using such a place.

Whales, dolphins, porpoises, basking sharks

It is an offence to:

- kill, injure, capture, harass or disturb these animals.

Seals

It is an offence to:

- kill, take or injure a seal during the close season, or at any time in certain areas specified by Scottish Ministers
- kill, take or injure a seal using prohibited means.



Grey seal pup

Reptiles and amphibians

It is an offence to:

- kill or injure a great crested newt or a natterjack toad or any native reptile
- disturb some of these animals
- sell or advertise for sale any native reptile or amphibian (alive or dead)
- keep an adder.

Fish

It is an offence to:

- kill, injure or disturb vendace, whitefish or sturgeon. Allis and Twaite shad have limited protection
- obstruct the passage of salmon or sea trout in a river or to damage their spawning beds, or to fish for them on Sunday.

It is illegal to move live fish between waters without permission. Fishing must be by rod and line or by certain forms of net.

Invertebrates

Some invertebrates are given special protection such as freshwater pearl mussel and some butterflies.

It is an offence to:

- kill or injure them
- capture or keep them (alive or dead)
- destroy, damage or obstruct access to their place of shelter
- disturb them while they are using their place of shelter
- sell or advertise them or their parts for sale.

Plants and fungi

It is an offence to:

- uproot any wild plant, unless you have the permission of the owner or occupier of the land
- pick or destroy a specially protected plant
- possess, sell or advertise for sale a specially protected species of plant, or any part of it.

A full list of protected plants (including European protected species) is available on our website at www.snh.org.uk