

Wildlife Licensing & Registration Service

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To all keepers of registered birds

March 2008

Dear Keeper

WILDLIFE & COUNTRYSIDE ACT 1981: REGISTRATION OF SCHEDULE 4 BIRDS

EC CITES REGULATIONS 338/97 & 865/2006 : COMMERCIAL USE OF ANNEX A SPECIES

Welcome to the 2008 breeding season letter and enclosed Schedule 4 bird closed ringing guide.

The enclosed guide concentrates entirely on the bird registration requirements under the Wildlife & Countryside Act 1981. However, we are taking this opportunity to remind you in this covering letter of some important CITES related matters that you should be aware of in advance of the breeding season.

Selling Annex A specimens

No live Annex A bird can be sold without a valid Article 10 certificate and it is an offence under the Control of Trade in Endangered Species (Enforcement) Regulations 1997 to do so. Breeders should therefore ensure they have applied for and been issued with certificates for birds they wish to sell in advance of the sale taking place. Upon a successful application, captive bred and close ringed specimens may be issued with Specimen Specific Article 10 certificates (SSCs) or semi-complete breeder's certificates (see paragraph below). Breeders must pass the bird's 'original' (yellow) certificate to the buyer when they sell the bird. There is no benefit to the breeder in keeping the certificate. To do so would be a breach of the conditions printed on it and therefore a breach of the EC CITES Regulations. Subsequent keepers must also pass the certificate on to the new keeper if the bird is sold on. There is nothing to stop a keeper from retaining a photo copy for his own records but the original must stay with the bird it is issued for.

Buying Annex A specimens

The seller must have a valid Article 10 certificate but the buyer has a responsibility to ensure that he doesn't buy a bird for which there is no valid certificate. Where there is no valid certificate the buyer is committing a purchase offence under the above Regulations and is liable to the same penalties upon conviction as the seller.



Awarded for excellence

Keepers are advised not to buy any Annex A bird unless the seller can produce and pass on the original certificate at the time of sale. Keepers should not accept birds under promise of the certificate being produced at a later date even if they believe the seller is entirely trustworthy. Any keeper who accepts a bird under such circumstances may be committing a purchase offence and may find that we are unable to issue a new certificate in his name.

Source Code 'F' 'U' and 'W'

Keepers who apply for Article 10 certificates for specimens that are source code 'W' Wild 'F' First generation and 'U' Unknown will be asked as a matter of course for further information, there is a detailed questionnaire that has to be filled in. You have to clearly demonstrate that you have a scientifically based formal breeding programme with clear aims and/or a full educational display or research programme. Any information supplied in support of such an application is referred to and closely scrutinised by the UK CITES Scientific Authority. Certificates that are issued for these specimens with these source codes are Transaction certificates issued to the applicant and valid only for the person named in box 1 and will have sales and breeding conditions and in some cases a movement restriction.

Declaration of receipt of Annex A Specimens

Under the EU CITES Regulations, Article 10 Certificates are not generally required when Annex A specimens are given away. However if the next owner applies for an Article 10 Certificate for the specimen we have expected them to provide a letter of gifting, to show that the specimen was lawfully acquired.

As a result of discussions with customers, we are aware that this requirement could present some difficulties, particularly with older specimens.

We have therefore decided to introduce a procedure whereby the applicant for the Article 10 Certificate will be able to sign a legal confirmation that the specimen was a gift, without the need to obtain a 'gifting letter' from the previous owner.

A special declaration form has been produced for this procedure please see attached a copy, you can also download a copy at

http://defraweb/corporate/regulat/forms/cons_man/index.htm

or please talk to your case officer if you require any more hard copies.

Making a false statement under these circumstances will still carry the same penalties on conviction as under any other circumstances. These are up to a £5,000 fine or 3 months in prison or both, if tried in a magistrates court, and up to a £5,000 fine or up to 2 years in prison or both, if tried in a Crown Court.

Semi-complete breeders Article 10 certificates

This type of certificate is issued for an identified breeding pair (or for an identified female bird subject to artificial insemination from potentially more than one male) in advance of the breeding season. The breeder is required to validate each one by adding the ring number and hatch date of the bird he wishes to use the certificate for. In the case of hybrids the species combination should also be added if it is known. This information must be added using a typewriter. Hand written certificates are invalid. Breeders are required to pass the original yellow copy to the purchaser along with the bird and return the pink copy to their Article 10 case officer in Bristol.

This type of certificate has no expiry date and does not have to be used during the breeding season it was issued. Unused certificates are therefore valid for future breeding seasons. However, we will assume that any certificates issued for which no pink copy is returned remain unused and correspondingly fewer certificates will be issued when the next application is made. For example, a breeder applies for 10 certificates for a breeding pair, uses all of them, but returns the pink copies for only five of them. We assume that he has not used the other five so when he applies for ten more the following season he will only actually be issued with five. It is therefore in the breeder's interest to return the pink copies for all certificates used.

Fast Track Cites Export Permits

In response to requests from keepers who breed Annex A birds for commercial export, we have decided to pilot a new procedure to speed up the issue of export permits. Please note that this procedure is only for birds which have been issued with unconditional SSCs by the UK Management Authority.

Applications can now be made on the "fast track application forms" which we supply, so they are immediately recognisable as fast track applications when they arrive at our office. A sample has been enclosed for your immediate use and further forms can be obtained by your case officer. Please also mark the outside of the envelope in capital letters "**FAST TRACK**"

- Applicants must ensure that the following information is provided in the description box:
 1. Ring Number
 2. Hatch date
 3. Article 10 number issued by the UK management authority.
- Where the Article 10 certificate is a 'semi-complete' certificate the pink copy must be submitted with the export application if it has not already been returned to us. Where it has already been returned, the certificate number must be quoted instead.
- If an incorrect Article 10 number is quoted, it is not an SSC type or there is anything else about the application that needs further investigation it cannot be regarded as fast track and will be subject to the standard 15 day turnaround time procedures.

Registered birds transferred to new keepers

Please detach the transfer slip from the bottom of the registration document, fill in the details of the new keeper and send it off to your case officer. Pass the rest of the document to the new keeper along with the bird. The new keeper should use it to apply for registration of the bird in his own name, as this is the easiest and most convenient way to facilitate the transfer of registration.

Exported birds and dead birds

Please let us know when birds are transferred to keepers outside of the UK or if they die. In either case, the best way to do this is to send us the whole registration document with the appropriate box ticked. In the case of dead birds, you should return the DOE ring along with the document if possible.

Following the above procedures will allow us to amend our records to show that a bird is no longer in your keepership.

Lost birds

If you are unfortunate enough to lose a registered bird you should contact your case officer immediately. This is important because we cannot give your contact details to anyone who might find the bird without your permission. Reporting the bird lost immediately and giving your permission for us to release your contact details (if you choose to) will speed up the process of found birds being returned to you. If, having reported a bird lost, it is returned to you without the need for our assistance, you should contact your case officer again to confirm that it is back in your possession. Failure to do this may mean that your bird is no longer correctly registered.

Avian influenza

If you have any enquiries about it or you wish to report the finding of a dead bird to Defra you should telephone the **Defra Helpline** on **08459 335577** and select the relevant option from the menu offered. Alternatively, if you have access to the internet you can find the latest information on the Defra public website at: <http://www.defra.gov.uk>

Any queries?

If you have any queries about the registration or Article 10 certificate procedures, please contact your case officer on their direct number, and they will be pleased to advise you. Full contact details are contained in the attached guide.

In the meantime may we wish you a successful breeding season.

Yours sincerely

Pete Barrett

Bird Registration & Article 10 Team

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