

Bird Registration Information Sheet 6

FALCONRY

IMPORTANT NOTE This information sheet is intended as an informal guide to the basic legal requirements. Any reference to 'the Act' is a reference to the Wildlife & Countryside Act 1981. Any reference to 'the EC Regulations' is a reference to the EC CITES Regulations 338/97 and 865/2006 (CITES is the Convention on International Trade in Endangered Species). You should seek your own independent legal advice on detailed points of law but we will try to offer advice if you contact us with specific queries.

LEGAL CONSIDERATIONS

Falconry or hawking is the sport of taking wild prey or quarry found in its natural habitat using a trained bird of prey. Whilst falconry itself is a legal activity, there are a few aspects of the law that a falconer should be aware of and comply with. Two separate legal requirements apply to captive-bred birds of prey: Registration of Schedule 4 birds is governed by the Wildlife and Countryside Act 1981; and commercial use (**see Note 1**) of all Annex A species which is governed by CITES regulations.

Any species listed in Schedule 4 (**see Information Sheet 3**) must be properly marked and registered with the Department (**see Information Sheet 2**). If it is to be moved for a temporary period from the address at which it is registered, the keeper must notify us of the address to which the bird is being moved and how long it will be absent from the registered address. If this period is expected to be more than 21 days we will issue a new registration document showing the new address. You should inform us when the bird is returned to the address at which it was last registered so that the document can be re-issued with the new address.

When a bird is passed to a new keeper the present keeper should return the lower section of the registration document informing us of the bird leaving their keepership and going to be kept by a new keeper. The new keeper must complete the upper section of the registration document and return it to us with the transfer fee (**see Information Sheet 8**).

QUARRY LICENCES

Regardless of whether the bird being flown is listed on Schedule 4, the keeper must be in possession of a quarry licence (**see Note 2**) if they intend to hunt quarry species that require licences. The exception are species listed on Schedule 2 of the Wildlife and Countryside Act 1981 (**see Note 3**). Species included in Part I of the schedule may only be hunted outside the close season. All falconers will need to obtain the permission of the landowner before they enter onto any land to fly or hunt with a bird. Quarry licences do not give permission, only the landowner can give this.

ARTICLE 10 CERTIFICATES

In addition to the Wildlife and Countryside Act 1981, any species listed in Annex A to the EC Regulations (**see Address 1**) that is kept for any commercial purpose (**see Note 1**) needs a certificate issued under Article 10. This includes commercial falconry.

There are two types of Article 10 certificate:

Specimen Specific certificates (previously known as Breeder certificates) must remain with the bird as it is passed from one keeper to another. Specimen specific certificates authorise a bird to be used for all commercial purposes within the EU, irrespective of who owns it.

Transaction certificates (previously known as Holder certificates) enable the owner to use a bird commercially, although restricted commercial use can be imposed as a result of the information provided by the applicant. New owners will need to apply for new certificates if they wish to make further commercial use of the specimen.

To obtain an Article 10 Certificate the birds must be correctly marked. If you intend to use birds commercially, CITES Guidance Notes (GNs) 2, 5, and 6 will be useful. Contact us if you are unsure about any aspect of commercial use.

TAKING UP FALCONRY

Anyone wishing to take up falconry is advised to contact the Hawk Board who are able to give contact details for all major falconry clubs and information on close seasons for game species etc. Those wishing to take up the sport are encouraged to join clubs that have direct representation with the Department via the Hawk Board, thus allowing access to up-dated information on current issues and legislation.

THE HAWK BOARD

The Hawk Board has been in existence since the early 1980's. Its purpose is to liaise between those keeping hawks and owls for various purposes and the government. In this role it has quarterly meetings where issues are brought before DEFRA and the JNCC (Joint Nature Conservation Committee) among other bodies. It also keeps a watching brief on any legislation internationally which might affect hawk and owl keepers. It deals with queries that falconers, raptor keepers, breeders and any others that keep any birds of prey may encounter.

USEFUL CLUB ADDRESSES

Due to the difficulties in contacting individual hawk and owl keepers it is highly recommended that anyone keeping birds of prey should join a club. All clubs can affiliate with The Hawk Board and in this way individuals will have representation and access to information.

British Falconer's Club
C/o Home Farm, Hints
Tamworth, Staffs
B78 3DW
01543 481737
www.britishfalconersclub.co.uk

Welsh Hawking Club
C/o 10, Birthorpe Rd
Billingborough, Lincs
NG34 0QS

Northern England Falconry
Club
Mr G Shaw
01274 780800
falconers@zetnet.co.uk

South East Falconry Group
C/o The Tilbury Community
Centre
The Civic Square
Tilbury, Essex
RM18 8AA
www.sefg.org

The Hawk & Owl Trust
C/o 41B, Dartmouth Road
London, NW2 4ET
www.hawkandowl.co.uk
hawkandowl@aol.com

NOTES

1. 'Commercial use' includes display to the public for commercial purposes, sale, keeping for sale, offering for sale, transporting for sale, use for commercial gain and breeding for commercial purposes. This definition applies to all specimens listed on Annex A of the Regulation and the term 'sale' includes hire, barter, exchange, invitation to treat and other cognate expressions.

2. Please contact the following for Quarry licences:

England

Bird Registration Section
Floor 1, Zone 17
Temple Quay House
2 The Square
Bristol, BS1 6EB
Tel: 0117 372 8692

Wales

Environment 4 Division
National Assembly for Wales
New Crown Buildings
Cathays Park, Cardiff
CF10 3NQ
Tel: 029 20823363

Scotland

Countryside and Natural Heritage Unit
Scottish Executive
1H/J South, Victoria Quay
Edinburgh, EH66 6QQ
Tel : 0131 244 6548

3. Schedule 2 of the Wildlife and Countryside Act 1981.

Birds which may be killed or taken outside the close season:

Capercaillie	Mallard
Coot	Moorhen
Duck, Tufted	Pintail
Gadwall	Plover, Golden
Goldeneye	Pochard
Goose, Canada	Shoveler
Goose, Greylag	Snipe, Common
Goose, Pink-footed	Teal
Goose, White-fronted (in England and Wales only)	Wigeon
	Woodcock

4. Any reference to Article 8 and Article 10 shall mean Article 8 and Article 10 of Council Regulation (EC) 338/97.

For further information and advice please contact:

Address 1

Bird Registration & Article 10 Section
DEFRA, Floor 1, Zone 17
Temple Quay House, 2 The Square
Bristol BS1 6EB

Tel: 0117 372 8692

Fax: 0117 372 8206

Address 2

National Wildlife Management Team
Natural England
Block 3
Room 1/39
Burghill Road
Westbury on Trym
Bristol
BS10 6NJ

Tel 0845 601 4523

The full range of CITES Guidance notes is available from our website. These may be printed in large print format.

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