

Licence No: **GEN / WCA / 015 / 2023**

Valid From: **1st January 2023**

Expiry: **31st December 2023**

WILDLIFE AND COUNTRYSIDE ACT 1981 (AS AMENDED)
PROTECTION OF BADGERS ACT 1992 (as amended)
CONSERVATION OF HABITATS AND SPECIES REGULATIONS 2017 (as amended)

LICENCE FOR LABORATORIES AND SCIENTIFIC INSTITUTIONS TO RETAIN BIOLOGICAL SAMPLES TAKEN DURING THE INVESTIGATION OF OFFENCES

This licence, granted under Section 16(1) (a) and (c), 16(3)(a) and (c) and 16(5) of the Wildlife and Countryside Act 1981 (as amended) ("the 1981 Act"), Section 10(1)(a) and (f) of the Protection of Badgers Act 1992 ("the 1992 Act"), and Regulation 55(2)(a) and (c) of the Conservation of Habitats and Species Regulations 2017 (as amended) ("the Regulations"), by the Natural Resource Body for Wales otherwise known as Natural Resources Wales (NRW), being satisfied that as regards the purpose set out at paragraph 1 that there is no other satisfactory solution, permits authorised persons to carry out a range of activities against the species listed and hereby grants the following licence which applies only in Wales: -

1. This licence allows the possession and retention of biological samples (including blood, DNA and other tissue samples), taken from wild birds or wild animals for forensic investigation in relation to offences or suspected offences under the 1981 Act, the 1992 Act or the Regulations.
2. Subject to the conditions set out below, the following acts which would otherwise be prohibited by Section 1(2)(a) of the 1981 Act are authorised:
 - a) the possession and retention, for an indefinite period, of blood and other tissue samples originally obtained as part of a forensic investigation

The works noted above are licensed for the period **as stated above** and are granted subject to compliance with the conditions as specified. Anything done otherwise than in accordance with the terms of the licence may constitute an offence.



Signed for and on behalf of
Natural Resources Wales

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Croesewir gohebiaeth yn y Gymraeg a'r Saesneg

Correspondence welcomed in Welsh and English

CONDITIONS

1. This licence only applies to the following:
 - (a) those persons who are in charge of, or employed by, recognised scientific institutions and laboratories.
 - (b) samples originally obtained as part of a forensic investigation.
2. No person convicted of an offence to which this paragraph applies may use this licence unless, in respect of that offence, either (1) they were dismissed with an admonition, or (2) they are a rehabilitated person for the purposes of the Rehabilitation of Offenders Act 1974 and their conviction is treated as spent. A person may also use this licence where, in respect of such an offence, a court has made an order discharging them absolutely. This paragraph applies to offences under the Wildlife and Countryside Act 1981, the Deer Act 1991, the Wild Mammals (Protection) Act 1996, the Hunting Act 2004, the Conservation of Habitats and Species Regulations 2017, the Protection of Badgers Act 1992 and the Animal Welfare Act 2006 (all as amended).
3. Failure to act within the purpose of this licence as set out in paragraph 1 or failure to comply with the terms and conditions of the licence may mean that the licence cannot be relied upon and an offence could therefore be committed. The maximum penalty available for an offence under the Act is a level 5 fine (£5,000) and/or a six month custodial sentence.

NOTES

1. "Wild bird" and "wild animal" have the same meaning as in Section 27 of the 1981 Act and "wild animal" as in Regulation 41 (4)(a)&(b) of the Regulations.
2. A licence in similar terms has been issued by Natural England in respect of England and by the Scottish Executive in respect of Scotland.
3. This licence may be modified or revoked at any time.