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## Biology Curators Group Newsletter

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Title: The proposed new Wildlife and Countryside Bill and its implications for museums

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The proposed new Wildlife and Countryside Bill and its implications for museums.

It is apparant from the discussions at the Biology Curators Group Leicester Study Weekend and from notes which have appeared in the BCG Newsletter that there is some confusion about the implications of the proposed Wildlife and Countryside Bill. The following note is intended to clarify the situation. It has been approved by the Guild of Taxidermists, the Biology Curators Group and the Department of the Environment.

Birds Eggs

With a limited number of specified exceptions at present it is an offence to take eggs except under licence. In order to comply with the European Community's Directive on the Conservation of Wild Birds the Government is proposing to make it an offence to be in possession or control of the egg of any wild bird with exceptions for the eggs of second schedule species and those taken under licence. Existing egg collections would not be directly affected but an owner, if charged with illegal taking, would want to be able to show that the eggs in the collection had been acquired before the Bill was enacted or had been taken from the wild under the Act's licensing provision.

In order to protect owners of collections against accusations of illegal taking discussions have taken place between the DOE and curators on the setting up of a voluntary registration scheme. The Department assures us it is not proposing that registration be compulsory though it has been said that there could be pressure in Parliament to make registration compulsory for eggs of Schedule 1 (especially protected) species and the registration scheme is being designed to cope with this eventuality.

Most museums existing documentation should be adequate but, if not, the documentation should be improved by the changes needed to meet the new requirements. It might also be desirable for the marking of eggs to be more permanent. However, widespread use of the standardised system would provide substantial information for scientific research and provide valuable data for conservation.

Bird Collections (mounted birds, bird skins, spirit material, skeletal material etc.)

Existing bird protection legislation prohibits sale but there are a number of exceptions. The European Community's Directive requires that sale (which includes hire, barter and exchange), transport for sale, keeping for sale and offering for sale be prohibited in respect of dead specimens listed in Annex 11 of the Directive (game and wildfowl) or under strict control for specific purposes. Therefore without a specific legal provision taxidermists (and this term will, we understand, embrace all those who deal in preserved dead birds) would not be able to sell or trade in dead birds which they have preserved. The Government is proposing that taxidermists who expect to deal in birds extensively shall be allowed to be registered with the DOE in accordance with regulations to be made by the Secretary of State. This will entitle them to deal provided they keep records to satisfy official enquiries and mark by an approved means those birds that are sold. Failure to do so would be an offence and if convicted de-registration will result. The period of de-registration will be five years for an offence bearing a special

penalty, three years in respect of other offences or such lesser maximum as is provided in the Rehabilitation of Offenders Act 1974.

Documentation systems will need to be adequate to prove that the material obtained was killed otherwise than in contravention of the Act. It is possible that some museums will have to tighten up their documentation procedure and great care will have to be taken with documentation of material which is being processed ( eg material stored in deep freeze) to ensure that the identity of individual specimens is maintained.

The DOE have suggested to the Guild of Taxidermists that they should act as agents for registration and this proposal has been accepted in principle. The Guild would issue markers that would be attached to each bird sold and taxidermists will be required to submit returns on the use to which each marker is put. Contrary to the suggestion in the BCG Newsletter (Vol 2 No 6 p 252) there is no question of collections being registered. The Guild is also proposing to introduce a Code of Practice for taxidermists.

Provision is being made in the Bill for the licensing of sale and this should cover those who choose not to seek registration. G. Stansfield.

