

Quarry, predator and pest species

Definition of Game – England and Wales

Strangely, there is no single legal definition of game and its meaning varies from act to act. The term always includes pheasants, partridges, grouse and black game. The archaic term moor and heath game is sometimes used. In some legislation game also includes hares, rabbits, bustard, woodcock, snipe and ptarmigan. Deer are never mentioned in the game acts but have protection under their own legislation. Dictionaries define game as wild animals and birds hunted for food and sport. This wider definition includes deer and wildfowl.



Deer are mentioned in the Game Acts but have their own legislation.
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Definition of game – Scotland

The concept of game no longer exists under Scottish law. Birds and animals that were previously considered to be game are now classed as wild birds and animals. They are now subject to the provisions of the Wildlife and Countryside Act which, with some exceptions, makes it an offence to be in possession of any wild bird or its egg.

However, mallard, pheasants, partridges and grouse which are being reared for release are not regarded as wild animals until they are released so the traditional breeding and release of gamebirds is not affected.

Vermin

There is no legal definition of vermin for the purposes of the Firearms Act. It is generally taken to include any species which causes damage to crops, wildlife or property including rabbit, mink, stoat, weasel, brown rat, grey squirrel, woodpigeon, magpie, rook and crow. Although vermin is the term used in certificates, the terms pest and predator are often preferred and have the same meaning for most practical purposes.

Shooting game at night, on Sundays and on Christmas day

Game, as defined in the Game Act 1831, means all the species listed in Part 1 of Appendix A. These may not be shot at night (i.e. from one hour after sunset to one hour before sunrise). In England and Wales it is illegal to shoot these species on Sundays and on Christmas day. No such restriction applies in Scotland but it is customary not to shoot game on these days.

Limits on shooting wildfowl and certain other birds

The birds listed in Parts 3 and 4 of Appendix A may not be shot on Sundays or Christmas Day in Scotland. Nor may they be shot on Sundays in the former counties and county boroughs of Anglesey, Brecknock, Caernarvon, Cardigan, Carmarthen, Cornwall, Denbigh, Devon, Doncaster, Glamorgan, Great Yarmouth, Isle of Ely, Leeds, Merioneth, Norfolk, Pembroke, Somerset and the North and West Ridings of Yorkshire. The prohibition also extends to shooting ducks and geese under general licence. The boundaries apply to these areas as they existed before local government reorganisation in 1974.

General licences to control pest species

Certain species of birds which are regarded as pests are technically protected under EU legislation and the Wildlife and Countryside Act and may only be taken or killed by authorised persons under the authority of a general licence. Part 5 of Appendix A lists the species to which this applies. The licences, of which there are several, are renewed annually, usually on 1 January, by Natural England, Scottish Natural Heritage and the Welsh Assembly Government.



The terms of the licences often differ between the three jurisdictions. You do not need to have a copy of the licence yourself, but you must have the oral or written authority of the owner or occupier before you go shooting or trapping. Most licences authorise the use of a semi-automatic shotgun. The terms of the licences are specific and are typically limited to conserving wild birds, protecting any collection of wild birds, preserving public health or public or air safety, preventing the spread of disease or preventing serious damage to livestock, foodstuffs for livestock, crops, vegetables, fruit, growing timber or fisheries. In 2015 two potential alien invasive species, not then found in the UK, were added to the English list so as to pre-empt them becoming established.

Before shooting or trapping one of the listed species you must satisfy yourself that you are doing so for one of the permitted reasons. Shooting for sport is not acceptable under any general licence. In all cases you are required to satisfy yourself that non-lethal methods of control are ineffective or impractical but you do not need to have tried other methods before using a trap or gun. The judgement is a purely personal one based on your own experience of shooting and pest control.

You can view the licences on the various websites and it is essential that you do so before your first outing each year. It is important for the ongoing future of the licensing system that anyone controlling pest or predator species does so strictly in accordance with the terms of the licences.

**Did you
know?**

Two alien species not then found in the UK were added to the English general licences to pre-empt them from becoming established.

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