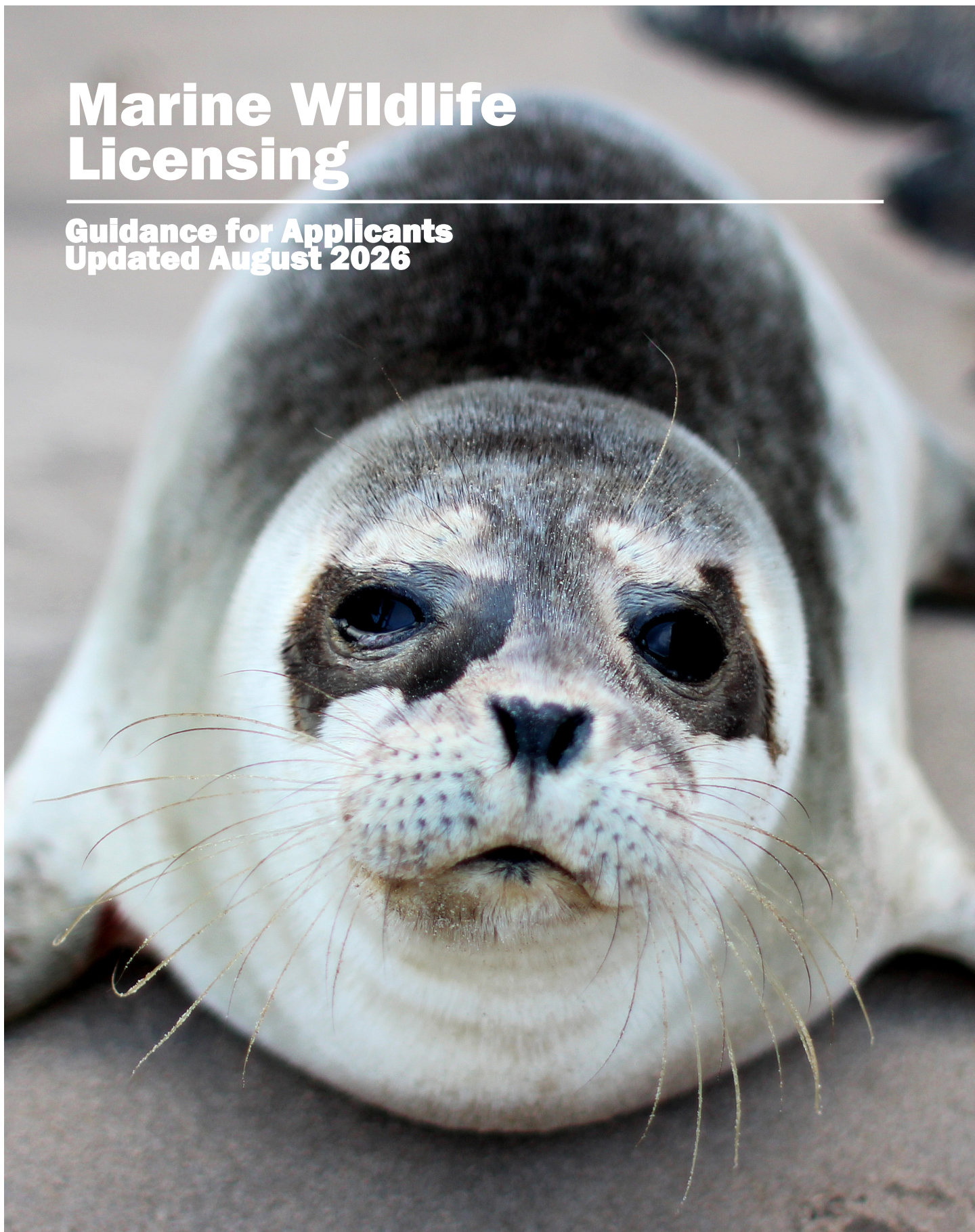


Marine Wildlife Licensing

**Guidance for Applicants
Updated August 2026**



Department of
**Agriculture, Environment
and Rural Affairs**

www.daera-ni.gov.uk



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Introduction

Certain species are protected by international, European and national wildlife legislation throughout the UK. This includes protection from intentional or reckless disturbance, taking, harming and killing, and in some cases possession or sale of the species.

In Northern Ireland, the applicable nature conservation legislation is:

- The Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended);
- The Wildlife (Northern Ireland) Order 1985 (as amended); and
- relevant amendments introduced through the Fisheries Act 2020 which strengthened protection for seals (pinnipeds) and removed licences for the killing of seals to prevent damage to fisheries.

Under this legislation a wildlife licence is required from the Department of Agriculture, Environment and Rural Affairs by anyone who wishes to carry out an activity that is otherwise prohibited under the conservation legislation. The offences that apply will depend on the species, activity and location.

Following the establishment of the Department of the Environment's Marine Division and the enactment of the Marine Act (Northern Ireland) 2013, responsibility for wildlife licensing in the marine environment transferred from the Northern Ireland Environment Agency (NIEA) to Marine Division with effect from 8 November 2013. From 8th May 2016 the new Department responsible for this is the Department of Agriculture, Environment and Rural Affairs (DAERA). Officers from Marine and Fisheries Division will undertake enforcement activities, by virtue of new powers under the Marine Act (Northern Ireland) 2013, with support from both the NIEA and the Police Service of Northern Ireland (PSNI), as necessary. These powers extend out to 12 nautical miles – an area defined as the Northern Ireland inshore region.

The Marine Management Organisation (MMO) is responsible for wildlife licensing in Northern Ireland's waters beyond the 12 nautical mile limit – an area defined as the Northern Ireland offshore region.

NIEA retains responsibility for wildlife licences for the protected species of terrestrial animals, birds (including marine species) and plants.

Purpose of this Guidance

The purpose of this guidance is to provide applicants with information on:

- Wildlife licensing;
- The application process; and
- The protection of wildlife through case studies and links to best practice.

Wildlife Licences

A wildlife licence may be issued to authorise what would otherwise be an offence under the nature conservation legislation. A licence will only be granted where the activity satisfies the requirements of the relevant legislation. In all cases it is recommended that mitigation should be used in the first instance in order to reduce the risk of any offence - for example, by using alternative equipment or undertaking the activity at a different time of the year.

If there is negligible risk of an offence, or mitigation reduces the risk to a negligible level, a wildlife licence will not be required.

A wildlife licence should be considered as a last resort to enable the activity to take place.

Marine Protected Species

The species which are afforded protection through wildlife licensing are listed in the schedules to the following nature conservation legislation:

- The Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended) (the Habitats Regulations); and
- The Wildlife (Northern Ireland) Order 1985 (as amended) (the Wildlife Order).

The degree of protection depends on the particular species. In some cases the protection applies only within specific sites and for others, particularly mobile species, it applies wherever they are found.

Schedule 2 to the Habitats Regulations details the European Protected Species which are listed in Annex IV (a) of the Habitats Directive. These species must be protected throughout their natural range, which includes Northern Ireland's inshore region, and wildlife licences may be issued to permit activities which would otherwise give rise to an offence.

Schedule 5 to the Wildlife Order contains a list of marine species which must be protected, and this includes provisions for wildlife licences to allow activities which would otherwise give rise to an offence.

Wildlife licences can only be issued for specific purposes, which are set out in the relevant legislation. They can only be issued where the Department determines that there is no satisfactory alternative and that the activity would not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status.

Favourable conservation status of a population would be impacted if there was:

- Risk of long-term decline in population;
- Risk of long-term reduction in the range of the population; or
- Risk of the reduction in habitat size.

The wildlife licensing system safeguards the conservation and welfare of marine species and provides a way to allow activities to take place when the Department determines that there is no satisfactory alternative or in such a way that the risk of an offence is managed.

The table below provides details of the marine species which are currently protected, together with the offences committed through deliberate or reckless acts. The schedules to the legislation are regularly reviewed and updated in light of scientific evidence.

Protection Measures for Marine Species

Species Group	Marine Species	Legislation	Offences
European Protected Species	All Whales, Dolphins and Porpoises All Marine Turtles	Habitats Regulations – Schedule 2	Kill, injure, disturb, take, transport, trade
Seals	Common (Harbour) Seals and Grey Seals	Habitats Regulations – Schedule 3	Kill, injure, disturb, take, transport, trade
		Wildlife Order – Schedules 5, 6 & 7	Kill, injure, disturb, take, transport, trade
Sharks	Basking Shark	Wildlife Order – Schedules 5, 6 & 7	Kill, injure, disturb, take, transport, trade
	Angel Shark	Wildlife Order – Schedule 5	Kill, injure, take, (within coastal waters – 6 nautical miles)
Skates	Common Skate	Wildlife Order – Schedule 5	Kill, injure, take, (within coastal waters – 6 nautical miles)
Seahorses	Short snouted Seahorse and Spiny Seahorse	Wildlife Order – Schedules 5, 6 & 7	Kill, injure, take, transport, trade
Lobster	Spiny Lobster	Wildlife Order – Schedule 5, 6 & 7	Kill, injure, take, transport, trade
Mussels	Fan Mussel	Wildlife Order – Schedule 5, 6 & 7	Kill, injure, take, transport, trade
Sea Urchin	Common Sea Urchin	Wildlife Order – Schedule 7	Transport or trade

In addition to the offences set out in the table it is an offence to deliberately or recklessly provide false information for the purposes of obtaining a wildlife licence or to breach any licence condition.

The penalty for these offences depends on the species being protected and the impact of the offence, but can be up to a maximum Level 5 fine (currently £5,000) and in some cases on summary conviction up to six months imprisonment, or both.

It should be noted that under both the Wildlife Order and the Habitats Regulations the offence is deemed to have been committed in the place where the offender is found or is first brought after committing the offence.

Activities for which a Wildlife Licence may be granted

The nature conservation legislation provides details of the specific activities for which a wildlife licence may be granted.

Regulation 39 of the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended) allows the Department to issue wildlife licences for the following activities:

- Scientific or educational purposes;
- ringing or marking, or examining any ring or mark on, wild animals;
- conserving wild animals or wild plants or introducing them to particular areas;
- protecting any zoological or botanical collection;
- preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment;
- preventing the spread of disease; or
- preventing serious damage to livestock, foodstuffs for livestock, crops, vegetables, fruit, growing timber, pasture, property or fisheries.

Note: Following amendments introduced by the Fisheries Act 2020, licences cannot be granted for the killing, injuring or taking of seals (pinnipeds) for the purpose of preventing damage to fisheries.

Similarly, Article 18 of the Wildlife (Northern Ireland) Order 1985 (as amended) enables the Department to issue wildlife licences for the following:

- Scientific, research or educational purposes;
- photography (includes still images and filming);
- preventing the spread of disease;
- preserving public health or public safety;
- ringing or marking, or examining any ring or mark on, wild animals;
- conserving wild animals or introducing them to particular areas;
- protecting any zoological or botanical collection; and
- preventing serious damage to livestock, foodstuffs for livestock, crops, vegetables, fruit, growing timber, pasture, property or fisheries.

Note: Following amendments introduced by the Fisheries Act 2020, licences cannot be granted for the killing, injuring or taking of seals (pinnipeds) for the purpose of preventing damage to fisheries.

Types of Wildlife Licences

Marine and Fisheries Division will provide advice and guidance on individual cases in response to any requests. However, it is the responsibility of the applicant to assess the risk of committing an offence when carrying out a proposed activity and whether a wildlife licence is required.

The following case studies are designed to provide some examples of when a wildlife licence might be required and what mitigation could reduce or remove the risk of an offence being committed.

Science, Research and Education

Most wildlife licences are issued to researchers and scientists in order to carry out activities/experiments for the purposes of furthering the knowledge and conservation of protected species. Examples of this type of activity would include taking samples of a particular protected species for genetic analysis, or tagging of skates (see case study 1).

Wildlife Tourism

Wildlife licences may be issued for wildlife tourism to enable the taking both of still images and filming of protected species (see case study 2) where alternatives are not available. This may also be done in connection with research and scientific studies.

Marine Construction

Some large developments may require a wildlife licence to permit temporary disturbance to cetaceans (European Protected Species) from noise emitted during construction – for example, the acoustic disturbance generated during the construction of offshore wind turbines. Such projects will also require a marine licence under the Marine and Coastal Access Act 2009, which will also include a requirement to provide mitigation for environmental impacts. The application of mitigation techniques to reduce the risk of a wildlife offence to negligible levels would be considered to be the most appropriate course of action. Consequently, a wildlife licence would be granted only as a last resort and for reasons of overriding public interest.

Preventing serious damage to fisheries

The legislation includes provisions relating to the prevention of serious damage to fisheries. However, following amendments introduced by the Fisheries Act 2020, wildlife licences cannot be granted for the killing, injuring or taking of seals (pinnipeds) for the purpose of preventing damage to fisheries. Applicants should consider alternative management and mitigation measures where interactions with protected species occur.

Possession of specimens, parts or derivatives of protected marine species

Dead animal specimens, parts or derivatives may need to be kept. This may be for scientific purposes, educational purposes, protecting any zoological collection or for personal collection. A wildlife licence is required to keep possession of these protected species.

Case Study 1

Skate Tagging

It is estimated that approximately 100 million captures of shark species (including skates and rays) are killed throughout the world each year. Many species have been depleted rapidly and now exist at very low levels when compared to their historic maximum. This has arisen due to overfishing and the slow recovery of populations as a consequence of their specific biological characteristics. These species typically grow very slowly, reach sexual maturity late and have very few young.

These biological characteristics result in unique challenges for the management and restoration of their populations.

There are a range of measures in place to manage and conserve shark, skate and ray species including:

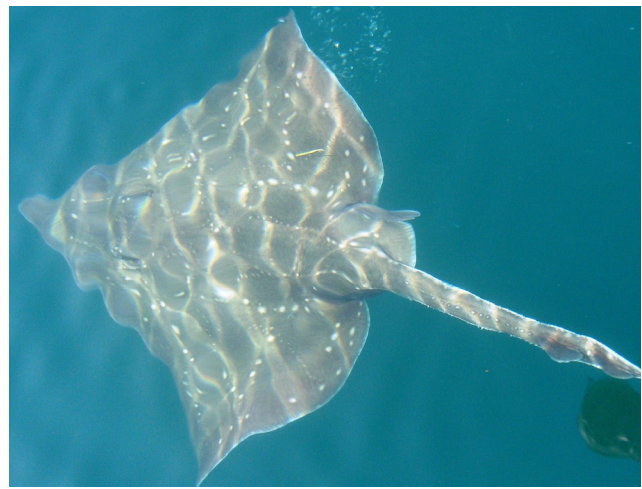
- UK and international fisheries management measures, including TACs and quotas
- UK, regional and international shark conservation measures
- Regional Fishery Management Organisations
- Species Protection Measures – Wildlife Licensing
- The Convention on International Trade in Endangered Species – (CITES)
- Convention on Migratory Species
- Oslo-Paris Convention

In order for these measures to be effective it is essential that knowledge of shark species is improved through better data collection and scientific research.

Tagging of shark species offers a way to gather such information, and the Department may permit suitable projects/schemes.

There are a number of schemes operating across the UK – including those run by the Scottish Sea Angling Conservation Network (SSACN) and Inland Fisheries Ireland.

Sea anglers involved in tagging schemes should be appropriately trained to ensure that they cause the minimum damage to fish, that the programme is undertaken in a safe, stress-free environment and to ensure the survival of fish.



Common skate. Image kindly supplied by the Scottish Sea Angling Conservation Network (SSACN).

Angel Sharks and Common Skate are protected species under the Wildlife (Northern Ireland) Order 1985 (as amended) within 6 nautical miles. It is an offence to deliberately or recklessly take, kill or injure these species.

It is therefore an offence for sea anglers to deliberately target these species, and any fish inadvertently caught should be handled in accordance with best practice guidance.

A wildlife licence is required for anyone involved in schemes/projects tagging Common Skate or Angel Sharks to enable deliberate taking of these fish.



Links to websites providing guidance documents, training manuals and protocols are provided at Annex A on p.15.

Case Study 2

Wildlife Tourism

Wildlife is an important feature of any boat trip, and increasing numbers of people are taking advantage of dedicated wildlife watching boat tours. Not only is the coast of Northern Ireland wild and beautiful, but much of its sensitive marine wildlife can be seen and enjoyed from a distance.

As many marine species are protected, those responsible for wildlife watching boat tours should follow existing best practice guidance – for example, accreditation through the WiSe Scheme (see Annex A). Depending on the species being encountered, the time of the year and particular location, a wildlife licence may be necessary if suitable mitigation is not possible. A wildlife licence is more likely to be needed for those involved in photographing or filming animals at close range, above or below water.



It is an offence to deliberately or recklessly disturb or harm marine species such as basking sharks, whales, dolphins and seals.



Divers can explore otherwise inaccessible places underwater. This offers great opportunities to see wildlife, but brings a particular responsibility to avoid disturbance, and again a wildlife licence may be required in some circumstances, such as filming basking sharks or seals underwater or at close range.

Those who encounter marine protected species incidentally should also observe existing marine wildlife guidance as far as feasible and practicable, given their particular circumstances.



Photo by Colin Speedie.

 Links to websites providing guidance documents, training manuals and protocols are provided at Annex A on p.15.

Case Study 3

Fisheries Protection

Seals may interact with fisheries and aquaculture facilities, affecting fish welfare, stock losses and operational activities.

Following amendments introduced by the Fisheries Act 2020, wildlife licences can no longer be issued to permit the killing, injuring or taking of seals for the purpose of preventing damage to fisheries. Accordingly, seal management must rely upon lawful non-lethal measures and good operational practice.

Applicants experiencing problems associated with seals should consider a range of mitigation measures including:

- predator-resistant netting;
- improved net maintenance;
- operational husbandry measures;
- exclusion devices;
- acoustic deterrent technologies (where appropriate and environmentally acceptable); and
- site-specific management practices.

DAERA may provide advice on protected species requirements and licensing considerations where other protected species could be affected.



It is an offence to intentionally or recklessly kill, injure or take a seal except where a specific statutory exemption applies.

The availability of licences for fisheries protection purposes was removed through amendments associated with the Fisheries Act 2020.



Links to websites providing guidance documents, training manuals and protocols are provided at Annex A on p.15.

Application Process

Marine and Fisheries Division is responsible for the marine wildlife licensing process, from initial queries to determination of the licence with associated conditions, and any subsequent enforcement action.

Applicants can decide when to make their first approach, but early communication is strongly recommended. Where a wildlife licence is associated with a major plan or project (a relevant project under the Environmental Impact Assessment Directive), this is particularly useful at the scoping stage of any environmental impact assessment (EIA). For more complex cases it is anticipated that, where pre-application discussions occur early in the process, the application stage would be shorter.

The general process is as follows:

- Consult with the Department;
- Preparation of documentation, such as method statement;
- Submission of a formal application;
- Consultation, feedback and any amendments required;
- Decision to refuse or grant licence (with conditions); and if granted,
- Submission and assessment of end-of-licence report.

Application Process

Marine and Fisheries Division will acknowledge receipt of a formal application within five working days. Following receipt of a full application, including all the relevant information necessary to make a determination, the Department will endeavour to make a decision as to whether a licence will be refused or granted (with conditions) within six weeks (30 working days).

Information Requirements

The Marine Conservation Officer will ensure that all the relevant sections of the application form are completed accurately and that all the necessary information and supporting documents are provided by the applicant.

The information required in support of an application will depend on the nature of the activity and the risk of an offence occurring. However, it is likely to include a scientific report and an assessment of the environmental risks associated with the proposal, together with details of any alternatives or mitigation.

If the applicant provides insufficient or inaccurate information the Marine Conservation Officer will contact the applicant and advise them of the need to submit additional or corrected information.

The Marine and Fisheries Division will outline what is required in order to complete the application, satisfy the requirements of the legislation and enable a decision to be made.

The application will be kept open for a maximum of six months from the date that the further information is requested by the Marine Conservation Officer. If the information is not received, and there has been no further contact from the applicant, the application will be deemed void and withdrawn. If the applicant still requires a licence a new application will have to be submitted which should include all the information that had been requested previously.

If the further information is submitted within six months the application will be treated as the same case, assessed by the same officer and will retain the same reference number.

Application Online

- Online Wildlife Licensing System:
<https://www.daera-ni.gov.uk/services/online-wildlife-licensing-system>

Withdrawal of Applications

The applicant may withdraw an application at any stage. This request can be made using the email below or by contacting the Marine Conservation Officer assigned to their case. The applicant will be asked to provide a reason, for monitoring purposes, why the application is being withdrawn.

Wildlife Licence Decision

If a licence is granted, the applicant will receive a wildlife licence certificate either via email or post.

The applicant must then confirm receipt of the licence and acceptance of any conditions within 10 working days of the licence being issued.

Once the wildlife licence has been accepted, the licensee may undertake the licensed activity, subject to any conditions including the time period allowed by the licence.

If the application is refused, the applicant will be provided with the reasons for refusal on request.

Emergency Licences

In exceptional circumstances it may be necessary for a wildlife licence to be issued within a few days. The Department understands that this may be an emergency situation and in these circumstances the applicant can provide the information by telephone, if necessary. Such cases will be dealt with as a one-off emergency application, and the wildlife licence will be granted for a short period until a full assessment can be made.

Further Information and Guidance

Marine and Fisheries Division will provide assistance and guidance on individual cases, where possible, in response to any queries. However, it is the responsibility of the applicant to assess the risk of committing a wildlife offence when carrying out a proposed activity and also the need for a wildlife licence application.

You can request application forms, reference forms and end-of-licence report forms by contacting the DAERA website: www.daera-ni.gov.uk/articles/marine-wildlife-licensing
Alternatively you may request these forms by contacting Marine and Fisheries Division.

The Marine and Fisheries Division can be contacted by:

Letter: Marine and Fisheries Division
Clare House
303 Airport Road West
Belfast
BT3 9ED

E-mail: Marine.Wildlife@daera-ni.gov.uk



Links to websites providing guidance documents, training manuals and protocols are provided at Annex A on p.15.

Annex A

Websites providing guidance documents, training manuals and protocols:

Centre for Environment, Fisheries and Aquaculture Science	www.cefasc.defra.gov.uk
Department for Environment, Food and Rural Affairs	www.defra.gov.uk
Department of Agriculture, Environment and Rural Affairs	www.daera-ni.gov.uk/
English Heritage	www.english-heritage.org.uk
Inland Fisheries Ireland	www.fisheriesireland.ie/
International Fund for Animal Welfare	www.ifaw.org/united-kingdom
Irish Whale and Dolphin Group	www.iwdg.ie
Marine European Protected Species: Protection from Injury and Disturbance (2020 guidance)	www.gov.scot/publications/marine-european-protected-species-protection-from-injury-and-disturbance/
Loughs Agency	www.loughs-agency.org/
Scottish Government Marine Directorate	www.marine.gov.scot/
National Parks and Wildlife Service	www.npws.ie
Natural England	www.naturalengland.org.uk
Natural Resources Wales	www.naturalresourceswales.gov.uk
NatureScot	www.nature.scot/
Scottish Sea Angling Conservation Network (Conservation)	www.ssacn.org
Scottish Shark Tagging Programme	www.tagsharks.com/
Seal Mammal Research Unit	www.smru.st-and.ac.uk/
The Irish Basking Shark Project	www.baskingshark.ie
MMO: Sharks, Skates, and Fish (updated June 2025)	www.gov.uk/government/publications/protected-marine-species/fish-including-seahorses-sharks-and-skates
The Orkney Skate Trust	www.orkneyskatetrust.org.uk
The Shark Trust	www.sharktrust.org/
Ulster Museum CEDaR Marine Recording	www.nmni.com/CEDaR/Recording/Marine-Recording
WiSe Scheme	www.wisescheme.org/

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