

WILD BOAR LEGISLATION

ENGLAND & WALES
BEST PRACTICE GUIDES



picture: Liz Balharry

Introduction

This guide gives an overview of the main points of the current legislation relating to wild boar. It is not comprehensive and the actual wording of the legislation will take precedence where any discrepancies arise. The actual legislation should always be consulted and/or legal advice obtained before taking action. References to legal sources are given in the Further Information section. This guide is one of a series relating to wild boar.

General

Wild boar are covered by the provisions of the following legislation which affords protection against cruelty and controls their release into the wild:

The Animal Welfare Act 2006 which provides general protection against unnecessary suffering for all 'protected animals'. The definition of 'protected animal' in the Act includes an animal that "is under the control of man whether on a permanent or temporary basis" and therefore may be taken to include wild animals under temporary control, such as being caught in a trap or under treatment for injury. Responsibility for such animals under the Act applies to "a person responsible for an animal whether on a permanent or temporary basis".

The Wild Mammals (Protection) Act 1996 which protects all wild mammals against specific acts of cruelty intended to cause unnecessary suffering.

The Wildlife & Countryside Act 1981 (WACA)

regulates the release of non-native species into the wild. Part I section 14 of the Act makes it an offence to release, or allow to escape into the wild, any animal of a kind which is "not ordinarily resident in and is not a regular visitor to Great Britain in a wild state" or is included in Part I of Schedule 9 of the Act. The term "not ordinarily resident" is not defined in the Act. Wild boar were added to Schedule 9 on April 6th 2010.

Dogs can be used to flush or locate wild boar, to locate shot carcasses and to find injured boar. The use of dogs for these purposes is governed by the Hunting Act 2004². The number of dogs in use at any one time is limited to two.

Because wild boar have a prolonged breeding season and can produce young throughout much of the year, there is no obvious breeding season and so no closed season. Therefore the balance of allowing legitimate control whilst protecting the welfare of dependent young is best achieved by simply following best practice to help avoid killing sows with dependent young (see the "Biology and Behaviour" and "Shooting Wild Boar" guides in this series.).

Disease

The Animal Health Act 1981 and orders such as the Foot-and-Mouth Disease (England) Order 2006, the Aujeszky's Disease Order 1983, The Classical Swine Fever (England) Order 2003 and The African

Swine Fever (England) Order 2003 provide the legal means for controlling disease and can potentially be applied to wild/feral species as well as domesticated species. Control of disease may include destruction of animals and regulation of human activities (including culling) and movements of culled and live animals. Defra will provide guidance in the event of a disease outbreak and during control measures. The diseases mentioned above are notifiable and anyone suspecting these diseases in animals in their possession or charge must report this to the Animal Health Divisional Veterinary Manager.

Captive Wild boar

The Dangerous Wild Animals Act 1976 (DWAA)

The purpose of this Act is to ensure that dangerous wild animals are kept in circumstances which do not create risk to the public and safeguard the welfare of the animals. Wild boar have been included on the list of such animals by two successive modifications to the DWAA.

Keepers of such animals must be licenced by the local authority and must adhere to the conditions of that licence which will include an undertaking to prevent escapes and have liability insurance. There is no specific requirement animals to be tagged unless required by other legislation.

The Zoo Licensing Act 1981 (as amended) regulates the keeping of wild animals (including wild boar) in zoos or wildlife centres for exhibition to the public.

Feral boar

The Defra Wild Boar Action Plan outlines the Government's view on the management of wild boar. In essence the responsibility for managing feral boar lies with the relevant landowner/manager. The protection against cruelty afforded by the Animal Welfare Act 2006 and the Wild Mammals (Protection) Act 1996 apply to wild boar, although there are no legal restrictions specifically governing how wild boar can be controlled. This means that any humane method can be used to control feral boar.

Where it is necessary to control numbers, shooting is likely to be the most common method used. One of the most suitable types of firearm for shooting wild boar is a centre-fire rifle. Police Firearms Licensing Branches will advise on any necessary conditions that may need to be applied to an individual's firearms certificate before they can legally use a rifle to shoot



wild boar. More advice is available in the Shooting Guide in this series.

Meat Hygiene

The regulations for the handling of large wild game and game meat (including wild boar) are contained within the Wild Game Guide which is produced by the Food Standards agency (FSA). These regulations cover general food hygiene principles, game meat hygiene standards and sale of game carcasses and game meat.

The FSA have a voluntary testing scheme for Trichinella disease, in which cullers of wild boar are invited to participate.

Further Information

Natural England, advice on wild boar - <http://www.naturalengland.org.uk/ourwork/regulation/wildlife/species/wildboar.aspx>

Wild boar action plan http://www.naturalengland.org.uk/Images/feralwildboar_tcm6-4508.pdf

General advice on animal health <http://www.defra.gov.uk>

Legislation on line - <http://www.opsi.gov.uk>

DWAA Modification 2 2007 http://www.opsi.gov.uk/si/si2007/pdf/ukxi_20072465_en.pdf

Firearms guidance - <http://police.homeoffice.gov.uk/publications/operational-policing/HO-Firearms-Guidance.pdf>

Wild Game Guide <http://www.food.gov.uk/foodindustry/meat/wildgameguidance>

Hunting Act 2004 http://www.opsi.gov.uk/acts/acts2004/en/ukpgaen_20040037_en_1