# SCHEDULES

# <sup>F1</sup>SCHEDULE 5 E+W

Sections 9, 10, 22 and 24.

### ANIMALS WHICH ARE PROTECTED

#### **Extent Information**

E1 This version of this provision extends to England and Wales only; a separate version has been created for Scotland only

#### **Textual Amendments**

**F1** By S.I. 1988/288, art. 2(2) it is provided that all Dolphins (Cetacea) and all Porpoises (Cetacea) not already listed in Schedule 5 are added to that Schedule and by S.I. 2007/1843, reg. 7(7)(g) it is provided that said Dolphins (all species) and Porpoises (all species) are omitted (E.W.) (21.8.2007)

Common name	Scientific name
[ <sup>F2</sup> Adder (in respect of section 9(5) only)]	[ <sup>F2</sup> Vipera berus]
[ <sup>F3</sup> Allis Shad (in respect of section 9(1) and (4)(a) only)]	[ <sup>F3</sup> Alosa alosa]
[ <sup>F4</sup> Anemone, Ivell's Sea]	[ <sup>F4</sup> Edwardsia ivelli]
[ <sup>F4</sup> Anemone, Startlet Sea]	[ <sup>F4</sup> Nematosella vectensis]
[ <sup>F4</sup> Apus]	[ <sup>F4</sup> Triops cancriformis]
Bats, Horseshoe (all species [ <sup>F5</sup> but in respect of section 9(4)(b) and (c) and (5) only])	Rhinolophidae
Bats, Typical (all species [ <sup>F6</sup> but in respect of section 9(4)(b) and (c) and (5) only])	Vespertilionidae
[ <sup>F7</sup> Beetle]	[ <sup>F7</sup> Graphoderus zonatus]
[ <sup>F7</sup> Beetle]	[ <sup>F7</sup> Hypebaeus flavipes]
[ <sup>F7</sup> Beetle]	[ <sup>F7</sup> Paracymus aeneus]
[ <sup>F7</sup> Beetle, Lesser Silver Water]	[ <sup>F7</sup> Hydrochara caraboides]
[ <sup>F7</sup> Beetle, Mire Pill (in respect of section 9(4) (a) only)]	[ <sup>F7</sup> Curimopsis nigrita]
Beetle, Rainbow Leaf	Chrysolina cerealis
[ <sup>F8</sup> Beetle, Stag (in respect of section 9(5) only)]	[ <sup>F8</sup> Lucanus cervus]
[ <sup>F4</sup> Beetle, Violet Click]	[ <sup>F4</sup> Limoniscus violaceus]

Lota lota

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#### ... F9

F9	F9
[ <sup>F10</sup> Butterfly, Northern Brown Argus]	[ <sup>F10</sup> Aricia artaxerxes]
[ <sup>F10</sup> Butterfly, Adonis Blue]	[ <sup>F10</sup> Lysandra bellargus]
[ <sup>F10</sup> Butterfly, Chalkhill Blue]	[ <sup>F10</sup> Lysandra coridon]
[ <sup>F10</sup> Butterfly, Silver-studded Blue]	[ <sup>F10</sup> Plebejus argus]
[ <sup>F10</sup> Butterfly, Small Blue]	[ <sup>F10</sup> Cupido minimus]
[ <sup>F3</sup> Butterfly, Large Copper]	[ <sup>F3</sup> Lycaena dispar]
[ <sup>F10</sup> Butterfly, Purple Emperor]	[ <sup>F10</sup> Apatura iris]
[ <sup>F10</sup> Butterfly, Duke of Burgandy Fritillary]	[ <sup>F10</sup> Hamearis lucina]
[ <sup>F10</sup> Butterfly, Glanville Fritillary]	[ <sup>F10</sup> Melitaea cinxia]
Butterfly, Heath Fritillary	Mellicta athalia (otherwise known as Melitaea athalia)
[ <sup>F11</sup> Butterfly, High Brown Fritillary]	[ <sup>F11</sup> Argynnis adippe]
[ <sup>F3</sup> Butterfly, Marsh Fritillary]	[ <sup>F3</sup> Eurodryas aurinia]
[ <sup>F10</sup> Butterfly, Pearl-bordered Fritillary]	[ <sup>F10</sup> Boloria euphrosyne]
[ <sup>F10</sup> Butterfly, Black Hairstreak]	[ <sup>F10</sup> Strymonidia pruni]
[ <sup>F10</sup> Butterfly, Brown Hairstreak]	[ <sup>F10</sup> Thecla betulae]
[ <sup>F10</sup> Butterfly, White Letter Hairstreak]	[ <sup>F10</sup> Stymonida w-album]
[ <sup>F10</sup> Butterfly, Large Heath]	[ <sup>F10</sup> Coenonympha tullia]
Butterfly, Large Blue[ <sup>F12</sup> (in respect of section 9(4)(b) and (c) and (5) only)]	Maculinea arion
[ <sup>F10</sup> Butterfly, Mountain Ringlet]	[ <sup>F10</sup> Erebia epiphron]
 F9	F9
[ <sup>F10</sup> Butterfly, Chequered Skipper]	[ <sup>F10</sup> Carterocephalus palaemon]
[ <sup>F10</sup> Butterfly, Lulworth Skipper]	[ <sup>F10</sup> Thymelicus acteon]
[ <sup>F10</sup> Butterfly, Silver Spotted Skipper]	[ <sup>F10</sup> Hesperia comma]
Butterfly, Swallowtail	Papilio machaon
[ <sup>F10</sup> Butterfly, Large tortoiseshell]	[ <sup>F10</sup> Nymphalis polychloros]
[ <sup>F10</sup> Butterfly, Wood White]	[ <sup>F10</sup> Leptidea sinapis]
[ <sup>F4</sup> Cat, Wild][ <sup>F12</sup> (in respect of section 9(4)(b) and (c) and (5) only)]	[ <sup>F4</sup> Felis silverstris]

[ <sup>F4</sup> Cicada, New Forest]	[ <sup>F4</sup> Cicadetta montana]
[ <sup>F13</sup> Crayfish, Atlantic Stream]	[ <sup>F13</sup> Austropotamobius pallipes]
Cricket, Field	Gryllus campestris
Cricket, Mole	Gryllotalpa gryllotalpa
[ <sup>F8</sup> Dameselfly, Southern]	[F8Coenagrion mercuriale]
F14	F14
F14	F14
[ <sup>F15</sup> Dolphins (all species but in respect of section 9(4A) and (5) only)	Cetacea"]
[ <sup>F4</sup> Dormouse][ <sup>F12</sup> (in respect of section 9(4) (b) and (c) and (5) only)]	[ <sup>F4</sup> Muscardinus avellanarius]
Dragonfly, Norfolk Aeshna	Aeshna isosceles
Frog, Common (in respect of section 9(5) only)	Rana temporaria
[ <sup>F16</sup> Frog, Pool (Northern Clade) (in respect of section 9(4)(b) and (c)(1) only and with respect to England only)]	[ <sup>F16</sup> Pelophylax lessonae]
[ <sup>F8</sup> Goby, Couch's]	[ <sup>F8</sup> Gobius couchii]
[ <sup>F8</sup> Goby, Giant]	[ <sup>F8</sup> Gobius cobitis]
Grasshopper, Wart-biter	Decticus verrucivorus
[ <sup>F7</sup> Hatchet Shell, Northern]	[ <sup>F7</sup> Thyasira gouldi]
[ <sup>F8</sup> Hydroid, Marine]	[ <sup>F8</sup> Clavopsella navis]
F17	F17
[ <sup>F7</sup> Lagoon Snail, De Folin's]	[ <sup>F7</sup> Caecum armoricum]
[ <sup>F7</sup> Lagoon Worm, Tentacled [ <sup>F18</sup> (in respect of section 9(4)(a) only)]]	[ <sup>F7</sup> Alkmaria romijni]
[ <sup>F4</sup> Leech, Medicinal]	[ <sup>F4</sup> Hirudo medicinalis]
Lizard, Sand[ <sup>F12</sup> (in respect of section 9(4)(b) and (c) and (5) only)]	Lacerta agilis
[ <sup>F19</sup> Lizard, Viviparous (in respect of section 9(5) only)]	[ <sup>F19</sup> Lacerta vivipara]
[ <sup>F4</sup> Marten, Pine]	[ <sup>F4</sup> Martes martes]
[ <sup>F4</sup> Mat. Trembling Sea]	[ <sup>F4</sup> Victorella pavida]
Moth, Barberry Carpet	Pareulype berberata

Moth, Black-veined	Siona lineata (otherwise known as Idaea lineata)
F17	F17
[ <sup>F8</sup> Moth, Fiery Clearwing]	[ <sup>F8</sup> Bembecia chrysidiformis]
[ <sup>F8</sup> Moth, Fisher's Estuarine][ <sup>F20</sup> (in respect of section 9(4)(b) and (c) and (5) only)]	[ <sup>F8</sup> Gortyna borelii]
Moth, New Forest Burnet	Zygaena viciae
Moth, Reddish Buff	Acosmetia caliginosa
[ <sup>F16</sup> Moth, Slender Scotch Burnet (in respect of section 9(5) only)]	[ <sup>F16</sup> Zygaena loti subspecies scotica]
[ <sup>F7</sup> Moth, Sussex Emerald]	[ <sup>F7</sup> Thalera fimbrialis]
[ <sup>F16</sup> Moth, Talisker Burnet (in respect of section 9(5) only)]	[ <sup>F16</sup> Zygaena lonicerae subspecies jocelynae]
F21	F21
[ <sup>F8</sup> Mussel, Fan (in respect of section 9(1), (2) and (5) only)]	[ <sup>F8</sup> Atrina fragilis]
[ <sup>F22</sup> Mussel, Freshwater Pearl]	[ <sup>F22</sup> Margaritifera margaritifera]
[ <sup>F23</sup> Newt, Great Crested or Warty (in respect of section 9(4)(b) and (c) and (5) only)]	Triturus cristatus
Newt, Palmate (in respect of section 9(5) only)	Triturus helveticus
Newt, Smooth (in respect of section 9(5) only)	Triturus vulgaris
Otter, Common[ <sup>F12</sup> (in respect of section 9(4) (b) and (c) and (5) only)]	Lutra lutra
F14	F14
[ <sup>F24</sup> "Porpoises (all species but in respect of section 9(5) only)	Cetacea"]
[ <sup>F4</sup> Sandworm, Lagoon]	[ <sup>F4</sup> Armandia cirrhosa]
[ <sup>F7</sup> Sea Fan, Pink (in respect of section 9(1), 9(2) and 9(5) only]	[ <sup>F7</sup> Eunicella verrucosa]
[ <sup>F25</sup> Seahorse, Short Snouted (with respect to England [ <sup>F26</sup> and Wales]only)]	[ <sup>F25</sup> Hippocampus hippocampus]
[ <sup>F25</sup> Seahorse, Spiny (with respect to England [ <sup>F27</sup> and Wales]only)]	[ <sup>F25</sup> Hippocampus guttulatus]

( <sup>F7</sup> G Shore Langer)	(F777
[ <sup>k7</sup> Sea Slug, Lagoon]	[ <sup>F7</sup> Tenellia adspersa]
[ <sup>F8</sup> Shad, Twaite (in respect of [ <sup>F28</sup> section 9(1) and (4)(a)]only)]	[ <sup>#8</sup> Alosa fallax]
[ <sup>F25</sup> Shark, Angel [ <sup>F29</sup> (in respect of section 9(1), (2) and (5) only)]]	[ <sup>F25</sup> Squatina squatina]
[ <sup>F8</sup> Shark, Basking]	[ <sup>F8</sup> Cetorhinus maximus]
[ <sup>F4</sup> Shrimp, Fairy]	[ <sup>F4</sup> Chirocephalus diaphanus]
[ <sup>F4</sup> Shrimp, Lagoon Sand [ <sup>F30</sup> (in respect of section 9(4)(a) only)]]	[ <sup>F4</sup> Gammarus insensiblis]
[ <sup>F16</sup> Skate, White (in respect of section 9(1), (2) and (5) only)]	[ <sup>F16</sup> Rostroraja alba]
[ <sup>F19</sup> Slow-worm (in respect of section 9(5) only)]	[ <sup>F19</sup> Anguis fragilis]
F9	F9
Snail, Glutinous	Myxas glutinosa
[ <sup>F25</sup> Snail, Roman (in respect of section 9(1), (2) and (5) only and with respect to England [ <sup>F31</sup> and Wales]only)]	[ <sup>F25</sup> Helix pomatia]
Snail, Sandbowl	Catinella arenaria
[ <sup>F19</sup> Snake, Grass (in respect of section 9(5) only)]	[ <sup>F19</sup> Natrix helvetica (also known as Natrix natrix)]
Snake, Smooth[ <sup>F12</sup> (in respect of section 9(4) (b) and (c) and (5) only)]	Coronella austriaca
Spider, Fen Raft	Dolomedes plantarius
Spider, Ladybird	Eresus niger
Squirrel, Red	Sciurus vulgaris
[ <sup>F7</sup> Sturgeon][ <sup>F12</sup> (in respect of section 9(4)(b) and (c) and (5) only)]	[ <sup>F7</sup> Acipenser sturio]
Toad, Common (in respect of section 9(5) only)	Bufo bufo
Toad, Natterjack[ <sup>F12</sup> (in respect of section 9(4)(b) and (c) and (5) only)]	Bufo calamita
[ <sup>F32</sup> "Turtle, Flatback	Natator depressus"]
[ <sup>F33</sup> Turtle, Green Sea (in respect of section 9(4)(b) and (c) and (5) only)	Chelonia mydas]
[ <sup>F34</sup> Turtle, Hawksbill (in respect of section 9(4)(b) and (c) and (5) only)	Eretmochelys imbricata]

[ <sup>F35</sup> Turtle, Kemp's Ridley Sea (in respect of section 9(4)(b) and (c) and (5) only)	Lepidochelys kempii]
[ <sup>F36</sup> Turtle, Leatherback Sea (in respect of section 9(4)(b) and (c) and (5) only)	Dermochelys coriacea]
[ <sup>F37</sup> Turtle, Loggerhead Sea (in respect of section 9(4)(b) and (c) and (5) only)	Caretta caretta]
[ <sup>F38</sup> Turtle, Olive Ridley	Lepidochelys olivacea]
F39	F39
[ <sup>F4</sup> Vendace]	[ <sup>F4</sup> Coregonus albula]
[ <sup>F8</sup> Vole, Water <sub>F40</sub>	[ <sup>F8</sup> Arvicola terrestris]
]	
[ <sup>F4</sup> Walrus]	[ <sup>F4</sup> Odebenus rosmarus]
[ <sup>F4</sup> Whale (all species)][ <sup>F41</sup> but in respect of section 9(4A) and (5) only]	[ <sup>F4</sup> Cetacea]
[ <sup>F4</sup> Whitefish]	[ <sup>F4</sup> Coregonus lavaretus]

Textu	al Amendments
F2	By virtue of S.I. 1991/367, art. 2(1) entry is further listed in respect of section 9(1) so far as it relates
	to killing and injuring
F3	By virtue of S.I. 1998/878, art. 2(2) entries in Sch. 5 added (16.4.1998) in substitution for the existing
	entries
F4	Entry added as provided by S.I. 1988/288, art. 2(1)
F5	Sch. 5 : words in entry inserted (E.W.) (21.8.2007) by The Conservation (Natural Habitats, &c.)
	(Amendment) Regulations 2007 (S.I. 2007/1843), reg. 7(7)(b)
F6	Sch. 5 : words in entry inserted (E.W.) (21.8.2007) by The Conservation (Natural Habitats, &c.)
	(Amendment) Regulations 2007 (S.I. 2007/1843), reg. 7(7)(c)
F7	Entries in Sch. 5 added (29.10.1992) by S.I. 1992/2350, art. 2(1)
F8	Entries in Sch. 5 added (16.4.1998) by S.I. 1998/878, art. 2(1)
F9	Entry removed from Schedule as provided by S.I. 1988/288, art. 2(5)
E10	

- F10 Entry added (in respect of s. 9(5) only) by S.I. 1989/906, art. 2
- F11 Entries in Sch. 5 substituted (29.10.1992) by S.I. 1992/2350, art. 2(2)
- F12 Sch. 5 : words in entries inserted (E.W.) (21.8.2007) by The Conservation (Natural Habitats, &c.) (Amendment) Regulations 2007 (S.I. 2007/1843), reg. 7(7)(a)
- F13 Entry added (only in respect of s. 9(1) so far as it relates to taking and in respect of s. 9(5)) by S.I. 1988/288, art. 2(3)
- F14 Sch. 5 : entries relating to dolphins or porpoises omitted (21.7.2007) by virtue of The Conservation (Natural Habitats &c.) (Amendment) Regulations 2007 (S.I. 2007/1843), art. 7(7)(g)
- F15 Sch. 5 : entry added (E.W.) (21.8.2007) by The Conservation (Natural Habitats, &c.) (Amendment) Regulations 2007 (S.I. 2007/1843), reg. 7(7)(h)
- F16 Entries in Sch. 5 inserted (E.W.) (1.10.2011) by The Wildlife and Countryside Act 1981 (Variation of Schedules 5 and 8) (England and Wales) Order 2011 (S.I. 2011/2015), arts. 1(b), 2(2), Sch. 1

- F17 Entries in Sch. 5 omitted (E.W.) (1.10.2011) by virtue of The Wildlife and Countryside Act 1981 (Variation of Schedules 5 and 8) (England and Wales) Order 2011 (S.I. 2011/2015), arts. 1(b), 2(3), Sch. 2
- F18 Words in Sch. 5 entry inserted (E.W.) (1.10.2011) by The Wildlife and Countryside Act 1981 (Variation of Schedules 5 and 8) (England and Wales) Order 2011 (S.I. 2011/2015), arts. 1(b), 2(4)
- F19 By S. I. 1988/288, art. 2(4) entry (which is already listed in respect of section 9(5) only) is further listed in respect of s. 9(1) so far as it relates to killing and injuring
- F20 Sch. 5 : words inserted (E.W.) (1.10.2008) by The Conservation (Natural Habitats, &c.) (Amendment) (England and Wales) Regulations 2008 (S.I. 2008/2127), reg. 4
- F21 Entry in Sch. 5 (which was added as provided by S.I. 1988/288, art. 2(1)) removed (16.4.1998) by S.I. 1998/878, art. 2(3)
- F22 By virtue of S.I. 1998/878, art. 2(2) entry in Sch. 5 added (27.3.1998) in substitution for the existing entry
- F23 Sch. 5 : words in entry substituted (E.W.) (21.8.2007) by The Conservation (Natural Habitats, &c.) (Amendment) Regulations 2007 (S.I. 2007/1843), reg. 7(7)(d)
- F24 Sch. 5 : entry added (E.W.) (21.8.2007) by The Conservation (Natural Habitats, &c.) (Amendment) Regulations 2007 (S.I. 2007/1843) {reg. 7(7)(h)}
- F25 Sch. 5 : entries inserted (E.W.) (6.4.2008) by The Wildlife and Countryside Act 1981 (Variation of Schedule 5) (England) Order 2008 (S.I. 2008/431), art. 2, Sch.
- F26 Sch. 5 : words in entry relating to "Seahorse, Short Snouted" inserted (E.W.) (12.8.2008) by The Wildlife and Countryside Act 1981 (Variation of Schedule 5) (Wales) Order 2008 (S.I. 2008/1927), art. 2(a)
- F27 Sch. 5 : words in entry relating to "Seahorse, Spiny" inserted (E.W.) (12.8.2008) by The Wildlife and Countryside Act 1981 (Variation of Schedule 5) (Wales) Order 2008 (S.I. 2008/1927) , art. 2(b)
- F28 Words in Sch. 5 entry substituted (E.W.) (1.10.2011) by The Wildlife and Countryside Act 1981 (Variation of Schedules 5 and 8) (England and Wales) Order 2011 (S.I. 2011/2015), arts. 1(b), 2(5)
- F29 Words in Sch. 5 entry substituted (E.W.) (1.10.2011) by The Wildlife and Countryside Act 1981 (Variation of Schedules 5 and 8) (England and Wales) Order 2011 (S.I. 2011/2015), arts. 1(b), 2(6)
- **F30** Words in Sch. 5 entry inserted (E.W.) (1.10.2011) by The Wildlife and Countryside Act 1981 (Variation of Schedules 5 and 8) (England and Wales) Order 2011 (S.I. 2011/2015), arts. 1(b), **2(7)**
- F31 Sch. 5 : words in entry relating to "Snail, Roman" inserted (E.W.) (12.8.2008) by The Wildlife and Countryside Act 1981 (Variation of Schedule 5) (Wales) Order 2008 (S.I. 2008/1927), art. 2(d)
- F32 Sch. 5 : entry added (E.W.) (21.8.2007) by The Conservation (Natural Habitats, &c.) (Amendment) Regulations 2007 (S.I. 2007/1843) {reg. 7(7)(h)}
- F33 Sch. 5 : entry added (E.W.) (21.8.2007) by The Conservation (Natural Habitats, &c.) (Amendment) Regulations 2007 (S.I. 2007/1843) {reg. 7(7)(h)}
- F34 Sch. 5 : entry added (E.W.) (21.8.2007) by The Conservation (Natural Habitats, &c.) (Amendment) Regulations 2007 (S.I. 2007/1843) {reg. 7(7)(h)}
- F35 Sch. 5 : entry added (E.W.) (21.8.2007) by The Conservation (Natural Habitats, &c.) (Amendment) Regulations 2007 (S.I. 2007/1843) {reg. 7(7)(h)}
- F36 Sch. 5 : entry added (E.W.) (21.8.2007) by The Conservation (Natural Habitats, &c.) (Amendment) Regulations 2007 (S.I. 2007/1843) {reg. 7(7)(h)}
- F37 Sch. 5 : entry added (E.W.) (21.8.2007) by The Conservation (Natural Habitats, &c.) (Amendment) Regulations 2007 (S.I. 2007/1843) {reg. 7(7)(h)}
- F38 Sch. 5 : entry added (E.W.) (21.8.2007) by The Conservation (Natural Habitats, &c.) (Amendment) Regulations 2007 (S.I. 2007/1843) {reg. 7(7)(h)}
- F39 Sch. 5 : entry of "Turtles, Marine (all species)" and "Dermochelyidae and Cheloniidae" omitted (E.W.) (21.8.2007) by virtue of The Conservation (Natural Habitats, &c.) (Amendment) Regulations 2007 (S.I. 2007/1843), reg. 7(7)(e)
- F40 Sch. 5 : words in entry relating to "Vole, Water" omitted (E.W.) (12.8.2008) by virtue of The Wildlife and Countryside Act 1981 (Variation of Schedule 5) (Wales) Order 2008 (S.I. 2008/1927), art. 2(e)
- F41 Sch. 5 : words in entry inserted (E.W.) (21.8.2007) by The Conservation (Natural Habitats, &c.) (Amendment) Regulations 2007 (S.I. 2007/1843), reg. 7(7)(f)

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Changes to legislation: Wildlife and Countryside Act 1981, SCHEDULE 5 is up to date with all changes known to be in force on or before 12 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Note. The common name or names given in the first column of this Schedule are included by way of guidance only; in the event of any dispute or proceedings, the common name or names shall not be taken into account.

[<sup>F42</sup> NOTE 2. <sup>F43</sup>...]

#### **Textual Amendments**

- F42 Sch. 5 : Note 2 inserted (E.W.) (6.4.2008) by The Wildlife and Countryside Act 1981 (Variation of Schedule 5) (England) Order 2008 (S.I. 2008/431), art. 2(c)
- F43 Sch. 5 Note 2 omitted (E.W.) (1.10.2011) by virtue of The Wildlife and Countryside Act 1981 (Variation of Schedules 5 and 8) (England and Wales) Order 2011 (S.I. 2011/2015), arts. 1(b), 2(8)

#### **Changes to legislation:**

Wildlife and Countryside Act 1981, SCHEDULE 5 is up to date with all changes known to be in force on or before 12 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. View outstanding changes

# **Changes and effects yet to be applied to the whole Act associated Parts and Chapters:** Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 53(3)(c)(ia) inserted by 2015 c. 20 Sch. 7 para. 2(b)
- s. 53B(4A)(4B) inserted by 2015 c. 20 Sch. 7 para. 4
- s. 53ZA inserted by 2015 c. 20 Sch. 7 para. 3
- s. 54B54C inserted by 2015 c. 20 Sch. 7 para. 5
- Sch. 13A inserted by 2015 c. 20 Sch. 7 para. 6
- Sch. 14A inserted by 2015 c. 20 Sch. 7 para. 7