



Jersey

WILDLIFE (LICENCE FEES) (JERSEY) ORDER 2023

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WILDLIFE (LICENCE FEES) (JERSEY) ORDER 2023

*Made**23rd January 2023**Coming into force**1st February 2023*

THE MINISTER FOR THE ENVIRONMENT makes this Order under Articles 36(4) and 50 of the [Wildlife \(Jersey\) Law 2021](#) –

1 Interpretation

In this Order –

“annual licence” means a licence that is valid for a year and may then be renewed, of a type referred to in Part 1 of Table 1;

“chargeable licence” means a licence listed in Table 1;

“development” has the same meaning as in the [Planning and Building \(Jersey\) Law 2002](#);

“high regulatory requirement” means an administrative requirement requiring detailed consideration of the application relating to development that has a significant impact on protected species, or on their nests, dens, breeding sites or resting sites, whether a singular impact on a rare or sensitive species, or multiple impacts on different species, with associated complex mitigation measures and taking into account the sensitivity of the surrounding area;

“Law” means the [Wildlife \(Jersey\) Law 2021](#);

“low regulatory requirement” means an administrative requirement relating to development where the impact on protected species, or on their nests, dens, breeding sites or resting sites, is limited to temporary disturbance or can easily be mitigated;

“major modification” in relation to a licence, means a modification involving material change to the activities permitted by the licence and associated terms and conditions of the licence, such as revised timing of development works necessitating a revised mitigation strategy;

“medium regulatory requirement” means an administrative requirement requiring detailed consideration of the application relating to development that has some impact on protected species, or on their nests, dens, breeding sites or resting sites, due to the size of the development, or the type of mitigation deployed;

“minor modification”, in relation to a licence, means a modification involving minor changes such as extension of its term or addition of named individuals authorised to act under an existing licence;

“mitigation” means measures to reduce, avoid or reverse the significant adverse impact on protected species or on their nests, dens, breeding sites or resting sites by development;

“mitigation licence for development” means a project licence granted to allow persons to disturb or take protected species or their nests, dens, breeding sites or resting sites for the purposes of enabling reasonable and lawful development, subject to appropriate mitigation;

“mitigation strategy” means a document submitted by a person seeking the grant of a mitigation licence for development, referred to in Part 2 of Table 1, outlining mitigation measures;

“project licence” means a licence granted for the duration of a project of a type referred to in Part 2 of Table 1;

“protected species” means a protected wild animal, protected wild bird or protected wild plant”;

“Table 1” and “Table 2”, mean the Tables with those corresponding numbers set out in the Schedule.

2 Application

This Order applies in respect of any grant of a licence under Article 36 of the Law of a type referred to in Table 1 on or after 1st April 2023.

3 Fees to be charged for certain licences

- (1) Table 1 sets out the types of licences and the fees chargeable in respect of those licences.
- (2) Table 2 sets out the exemptions to the requirement to pay a fee in respect of the licences set out in Table 1, and when they apply.

4 Licence fees: supplementary provisions

- (1) A fee under this Order must be paid before the licence to which it relates is granted.
- (2) In the case of an annual licence, a renewal fee is due on each anniversary of that grant, in default of which the licence will lapse.
- (3) A person seeking the grant of a licence may, before the licence is granted, request the Minister to consider whether –
 - (a) a different type of licence is more appropriate; or
 - (b) an exemption from paying a fee under Table 2 applies.
- (4) Where paragraph (3) applies, the Minister must decide the type of licence to be granted and the fee, if any, payable.
- (5) If the person seeking the grant of a licence refuses to pay the fee decided under paragraph (4), the Minister must refuse to grant the licence.

5 Citation and commencement

This Order may be cited as the Wildlife (Licence Fees) (Jersey) Order 2023 and comes into force on 1st February 2023.

DEPUTY J. RENOUF OF ST. BRELADE

Minister for the Environment

SCHEDULE

(Article 3)

FEEES TO BE CHARGED IN CONNECTION WITH GRANT OF LICENCE**TABLE 1: FEES**

Part 1 – Annual licences	Fee for grant or renewal of grant of licence	Fee for grant of modification of licence
Arborist Licence – granted for tree surgeons to disturb bats to conduct a survey and use endoscopes for observation, for conservation purposes only	£100	£50
Bat Survey Licence – granted for persons with experience of working with bats to disturb, take, handle and release bats and to use methods of capture prohibited by the Law, for scientific or educational purposes –		
• for capture using traps and lures	£150	£50
• for capture using hand nets	£100	£50
• for disturbance only	£50	£50
General Survey Licence – granted for persons with experience of working with protected wild birds or protected wild animals, other than bats, to disturb, take, handle and release those protected species and to use methods of capture prohibited by the Law, for scientific or educational purposes –		
• for disturbance, capture and release	£100	£50
• for disturbance only	£50	£50
Gull Control Licence – granted for persons experienced in gull control to disturb, kill or take herring gull to preserve public health and safety, or to prevent the spread of disease or serious damage to property –		
• where 3 or more individuals are acting under the licence	£400	£50
• where fewer than 3 individuals are acting under the licence	£200	£50

<p>Pheasant Control Licence – granted for persons to disturb, kill or take the common pheasant to prevent serious damage to crops or vegetables on land belonging to the holder of the licence –</p> <ul style="list-style-type: none"> • where 3 or more individuals are acting under the licence • where fewer than 3 individuals are acting under the licence 	£100	£50
	£50	£50

Part 2 – Project licences	Fee for grant or renewal of grant of licence	Fee for grant of modification of licence
Mitigation Licence for Development with –		
<ul style="list-style-type: none"> • a requirement for an environmental impact statement under the Planning and Building (Environmental Impact) (Jersey) Order 2006 • a high regulatory requirement • a medium regulatory requirement • a low regulatory requirement 	<p>£1200</p> <p>£400</p> <p>£300</p> <p>£200</p>	<p>Major modification – £400</p> <p>Minor modification – £200</p> <p>Major modification – £100</p> <p>Minor modification – £50</p>
Bird Control Licence for Air Safety – granted to permit the disturbance and killing of named protected bird species for the purpose of preserving public safety at and around the airport	£400	£50
Any other licence not otherwise described in this Order authorising a person to do anything which would constitute an offence under Parts 2 to 4 of the Law, granted for any purpose specified in Article 37 of the Law and also specified in the licence	£52 for each hour or part of an hour taken to administer the grant of the licence	£50

TABLE 2: CIRCUMSTANCES IN WHICH LICENCES MAY BE EXEMPT FROM FEES

Exemption	Circumstances where exemption applies
<p>1. A licence granted for a purpose specified in Article 37(1)(a) of the Law (scientific or educational purposes)</p>	<p>1. The exemption applies where –</p> <ul style="list-style-type: none"> (a) the research is undertaken by professionals or volunteers to increase the understanding of the ecology of a species for conservation purposes (and for the purposes of this sub-paragraph “research” includes surveys, ringing or marking and release of species into the wild for repopulation purposes); or (b) the project aims to maintain or improve the conservation status of a species or its habitat. <p>2. However –</p> <ul style="list-style-type: none"> (a) an applicant for a Bat Survey Licence or a General Survey Licence under Table 1 will qualify for this exemption only if acting wholly as a volunteer; and (b) this exemption does not apply to activities that are primarily for commercial purposes.
<p>2. A licence granted for any purpose specified in Article 37(1) of the Law where the activities are to be undertaken by a registered charity as defined in the Charities (Jersey) Law 2014</p>	<p>The exemption applies only to activities undertaken by a registered charity for non-commercial purposes.</p>