

Wildlife (Northern Ireland) Order 1985 (As amended) - Code of Wildlife Photography.

Whether your wildlife photography is; a) 'Casual Photography', i.e. the photographer walks with a camera, photographing things which they find of interest, and/or b) 'Hide Photography', staking out a specific subject or habitat with the aim of capturing specific images and behaviours, both activities can cause disturbance to sensitive wildlife. The photographer should always think about the consequences of their actions.

⚠ Remember in Northern Ireland all birds are protected from disturbance when nesting.

Casual photographers should not spend too long watching an individual subject, nor should they chase or harass the target species. Those photographers setting up hides should follow the instructions below.

⚠ The welfare of the subject being photographed must always take precedence over the desire or need to obtain a photograph.

Do I need a licence to photograph wildlife?

Birds: In most circumstances a licence is not required to photograph wild birds. There is no need for a licence to photograph wild [Schedule 1](#) or other birds well away from the nest. However, many of these species are especially prone to disturbance during the breeding season and you should therefore be very careful to make sure that you act within the law. Licences are only required if your actions might otherwise constitute an offence. **In Northern Ireland all birds are protected whilst nesting**, therefore where the photographer sets out to take pictures at or close to the nest of any bird they will require a licence. *Please note this differs from Great Britain where a licence would only be required for photography of [Schedule 1](#) bird species whilst they are at, on or near the nest.*

⚠ Advice should be sought from the Wildlife Officer if you intend to use flash or external lighting for extra illumination.

⚠ Outside the breeding season: Be aware that many natural areas across Northern Ireland have been designated as [Areas of Special Scientific Interest \(ASSI\)](#) and or [Special Protection Areas \(SPAs\)](#) for specific species or habitats of interest. Disturbance of noted species within ASSIs at anytime of the year could constitute an offence.

Other Animals: Photographing protected animals (*those listed under [Schedule 5](#) of the Wildlife Order or [Schedule 2](#) of The Conservation (Natural Habitats, etc.) Regulations (NI) 1995 as amended*) requires a licence when the photographer intends to undertake the work immediately adjacent to the sett, holt or drey etc, particularly if this is to be done during the breeding season of that animal. Advice should be sought from the Wildlife Officer if

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you intend to use flash or external lighting for extra illumination.

Grey and harbour seals are sensitive to disturbance when hauled out on the rocks, they will often be found in communal groups which can scatter if disturbed. The impact of this disturbance is particularly damaging during and after pupping where disturbance can lead to pups being injured in the panic, separated from their mothers, or drowning if they enter the water before they are ready to properly swim.

Do not harass marine mammals or other protected marine life from the shore or boats, if you are lucky enough to encounter a swimming, cetacean or indeed a basking shark or marine turtle, maintain a safe distance, don't drive watercraft at them, chase them or enter the water. DAERA & PAW NI have produced further advice [here](#).

Remote Cameras & Nest Cameras: Cameras mounted inside nest boxes prior to the breeding season and not physically accessed or disturbed until after the breeding activity has ceased may not require a licence, advice from the NIEA Wildlife Officer should be sought. Camera traps and other remote cameras should be used with care; that is, not placed obscuring nest/burrow entrances, or blocking runs and trails. Camera traps etc should not be placed on, in or immediately around nests, or other structures used by protected birds and animals without being licensed by the Department. The use of apparatus that requiring frequent visits to the camera is unsatisfactory and would not be permitted. Adding additional poles or posts for mounting these cameras may inadvertently provide a perch for predators.

 Advice should be sought from the Wildlife Officer if you intend to use flash or external lighting for extra illumination.

Unmanned Aerial Vehicles (UAVs) or Drones

The use of drones or UAVs has the potential to cause real disturbance or panic or indeed direct collision with birds and mammals. Disturbance is particularly noticeable to those species in flocks or groups ie wintering shorebirds or hauled out seals, but the impacts on individuals may be more subtle and equally damaging. You may not set out to film or disturb wildlife but inadvertently fly over a nest or a colony of nests ie if you are filming coastal cliffs. If you see any wildlife react to your flight, retreat from their location.

Learn about the site before launching your UAV, what are you likely to encounter or disturb?

Do's and Don'ts



Do follow the [CAA Drone Code](#),



Obtain landowner permission,



Do avoid known breeding sites especially those used by Schedule 1 birds and protected mammals,

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- ✓ Do avoid likely breeding sites, particularly in spring and summer months,
- ✓ Do maintain a safe (disturbance) buffer zone around any wildlife,
- ✓ Do consider that disturbance zones will vary between species and some individuals will be more tolerant than others,
- ✓ Do consider both horizontal and vertical distances,
- ✓ Do abort a flight immediately if the drone is attacked by a bird or animal,
- ✓ Do retreat to a safe distance if a bird or animal is disturbed,
- ✓ Do retreat to a safe distance if a bird or animal approaches the drone,
- ✓ Do recognise that disturbance may be any change in the normal behavior of a bird or animal,
- ✓ Do contact [NIEA Wildlife Team](#) if considering using a drone for bird and animal wildlife photography purposes,
- ✗ Don't use drones to monitor bird and animal breeding and nesting sites, unless under [licence from NIEA Wildlife Team](#),
- ✗ Don't use drones near livestock,
- ✗ Don't fly too low,
- ✗ Don't linger over individual animals/birds or groups of animals/birds,
- ✗ Don't fly inside ASSIs/SPAs without approval from the [NIEA](#).

⚠ **Remember in Northern Ireland all birds are protected from disturbance when nesting.**

⚠ **Outside the breeding season:** Be aware that many natural areas across Northern Ireland have been designated as [Areas of Special Scientific Interest \(ASSI\)](#) and or [Special Protection Areas \(SPAs\)](#) for specific species or habitats of interest. Disturbance of noted species within ASSIs at anytime of the year could constitute an offence.

Minimise your impact

Research your subject before heading into the field, learn its behavioural traits. Remember, the impacts of disturbance on animals and birds is more subtle than merely

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scaring them away. If the animal perceives a threat, it may reduce its feeding rate to spend more time watching for danger, or your presence may attract predators. If the subject (animal or bird) shows any sign of distress then the project should be abandoned immediately, as it should be if a nest or shelter containing young or eggs of the subject is left unattended by the parent or is open to predation. In conditions of extreme heat, cold, high wind, or rain, great care must be exercised to avoid damage to the eggs or chicks.

Photography must be undertaken in as inconspicuous a manner as possible. In particular, photography of nests or shelters should not be undertaken in localities where the attention of the public or a predator is likely to be drawn. Where hides are being used, they must not be erected near roadside situations nor within close proximity of accepted walking routes.

The permission of a landowner should, if at all possible, be obtained, and their instructions regarding access routes to be followed. The wildlife licence does not convey any right of access.

Photography of more species, nests or shelters that can be safely managed in the time available is not advised. The hasty preparation and the movement of hides, towards nests or shelters, can greatly increase the risk of desertion.

The photographer must be able to satisfy themselves that the subject accepts any particular stage of the operation before a further stage is commenced. The photographer should not set up too close to the nest or the structure used for rest or breeding. The safe proximity will vary with the species sensitivity, habitat and topography.

Disturbance of the nest or shelter and its surroundings must be kept to an absolute minimum. You are not permitted to handle eggs or chicks, or expose the nest structure by cutting back vegetation, although some may be tied back temporarily. At the end of each visit the site and its surroundings should be restored as closely as possible to their original state. Any on-site derived material used to construct or camouflage a hide must be removed or dispersed before leaving the area on the last occasion on which photography is undertaken. Old hides or associated debris must be removed.

Photography of animals at their breeding site or shelter should not take place during the few days on either side of the birth of the young, except in the case of those species which will readily tolerate disturbance at the breeding site.

Do not attempt to photograph at the nest any species of bird or animal breeding in Northern Ireland for the first time or after an absence of several years whether or not it has been placed on Schedule 1 or Schedule 5 of the Order.

The use of tape lures, digital recordings or other decoys during the breeding season within close proximity of nesting birds is not permitted unless specifically mentioned on your licence.

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If you require further clarification of this policy, please contact the Wildlife Inspectorate by telephone on Belfast (028) 9056 9551

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An over review of the wildlife law in Northern Ireland is available in the

Departments publication 'Wildlife Law and You 2016'

<https://www.daera-ni.gov.uk/publications/wildlife-law-and-you>

Further information and application forms:

<https://www.daera-ni.gov.uk/articles/wildlife-licensing>



www.wildlifecrimeni.org

