

Wildlife Photography in Scotland: Licensing

What is a licence?

Licences permit actions that would otherwise be against the law. Licences can only be granted for specific purposes as set out in the relevant legislation.

SNH issue around 40 to 50 photography licences each year. Most of these licences are for photography of Schedule 1 birds at the nest.

When might photography require a licence?

Most wildlife photography is unlikely to require a licence. However, if your actions might otherwise cause an offence to be committed in relation to a protected species, e.g. disturbing a nesting Schedule 1 species of bird, or an otter using a holt, then in order to carry on that work you legally you will need to be covered by a licence.

Most wildlife photographers aim to get pictures of their subject in a natural setting and behaving in a natural way. The aim is to reduce disturbance or any other adverse impact to an absolute minimum. However, some actions, for instance erecting a hide, or moving to and from a hide can, and often will, inevitably result in some disturbance of the subject.

You should refer to the summary of the relevant legislation to check whether what you are proposing to do might require a licence. If you are unsure, contact SNH Licensing team for advice.

Who can apply for a licence?

Anyone can apply for a licence. However, applicants need to be able to demonstrate that they have the appropriate skills and experience to be able to carry out the work proposed in such a way so as to reduce any disturbance to an absolute minimum.

If an applicant has not held a similar licence in the past 5 years they are required to Provide two references from appropriately experienced photographer/camera person(s), at least one of which must be a licensed bird photographer.

We also ask applicants to provide at least 6 of their own images or samples of film that should demonstrate their skill in wildlife photography.

As well as being able to show that they have all the right skills and experience, it is crucial that applicants have a good knowledge of the ecology and behaviour species they intend to photograph.

Licence holders and applicants alike should be familiarise themselves with the *Nature Photographer's Code of Practice* on SNH's website.

Applying for a licence

Application forms for licences can be downloaded from the licensing section of SNH's website at [Licence application form - bird filming and photography](#)

Applications should clearly state what is proposed and exactly how, where and when the work will be undertaken and who else will be involved.

The application should also be able to demonstrate the experience and field-skills of the applicant (see above).

Assessing licence applications

Before granting a licence to photograph a protected species, SNH considers a range of issues aimed at minimising the impacts and risks to the subject species. These include;

- Is there a real need for the proposed work? (for instance, do suitable photographs exist elsewhere?)
- Is there another way of obtaining the same results that could avoid or reduce any disturbance or risk to breeding success?
- How does the applicant expect to carry out the work?
- What are the potential impacts of the work on the subject species?
- How rare or vulnerable is the species in question? (for some species there may be a presumption against issuing any photography licences)
- Are there any concerns over breeding success/disturbance of that species in the area in question?
- Are there any other projects or proposals ongoing or likely that could affect the same individual(s)?
- How many other photography licences have already been issued in relation to that species?
- Is the level of experience, knowledge and skill of the applicant appropriate to the proposal?

Applications are sent to the licensing officer, but are also passed to local SNH staff who can provide comment on any issues specific to that area. Applications may also be passed to SNH species specialists for comment.

Processing licences

SNH aims to process licence applications as soon as possible after receipt of all of the required information. At some times of the year (particularly early spring), demand for licences is very high. Therefore we recommend that applications are submitted as early as possible in advance of the time you propose to carry out your work.

Refusing a licence

SNH will refuse a licence if it is felt that impacts on a species or individual cannot be justified or if we feel that the applicant has not demonstrated that they have the requisite experience or skill.

Further information

For more information;

- Visit the SNH website at www.snh.gov.uk
- E-mail: Licensing@snh.gov.uk
- Telephone SNH Licensing Team on 01463 725364