
Changes to legislation: Criminal Justice (Scotland) Act 2003, SCHEDULE 3 is up to date with all changes known to be in force on or before 18 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

SCHEDULE 3 **S**

(introduced by section 77)

WILDLIFE OFFENCES

- 1 The Wildlife and Countryside Act 1981 (c. 69) is amended in accordance with the following paragraphs.
- 2 In each of sections 6(8) (regulations as to dealing in dead wild birds etc. after having been convicted of an offence under Part I of the Act) and 7(3) (keeping or possessing certain birds after having been so convicted), for paragraphs (a) and (b) there is substituted “within five years of his having been convicted of—
 - (a) an offence under this Part (being an offence relating to the protection of birds or other animals); or
 - (b) any other offence involving their ill-treatment,”.
- 3 In section 7(4) (offence relating to disposal etc. of certain birds), for paragraphs (a) and (b) there is substituted “ within five years of that person’s having been convicted of such an offence as is mentioned in subsection (3), ”.
- 4 In section 19 (enforcement)—
 - (a) in subsection (1)(c), the words “if he fails to give his name and address to the constable’s satisfaction” are repealed; and
 - (b) in subsection (3), for paragraphs (a) and (b) there is substituted “ an offence under this Part ”.
- 5 In section 20 (summary prosecutions)—
 - (a) subsection (1) is repealed; and
 - (b) in subsection (2), for the words “to which this section applies” there is substituted “ under this Part ”.
- 6 In section 21 (penalties, forfeitures etc.)—
 - (a) for subsection (1) there is substituted—

“(1) Subject to subsection (5), a person guilty of an offence under any of sections 1 to 13 or section 17 shall be liable on summary conviction to imprisonment for a term not exceeding six months or to a fine not exceeding level 5 on the standard scale, or to both.”;
 - (b) subsections (2) and (3) are repealed;
 - (c) in subsection (4), for paragraphs (a) and (b) there is substituted—
 - “(a) on summary conviction, to imprisonment for a term not exceeding six months or to a fine not exceeding the statutory maximum, or to both;
 - (b) on conviction on indictment, to imprisonment for a term not exceeding two years or to a fine, or to both.”; and
 - (d) in subsection (5), the words “(2) or (3)” are repealed.

Changes to legislation:

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Changes and effects yet to be applied to :

- specified provision(s) and purposes Appointed Day(s) by [S.S.I. 2003/439 art. 23Sch.](#) (Effect not applied to legislation.gov.uk. This S.S.I. is revoked (1.10.2003) by S.S.I. 2003/475, art. 4)

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. 16D inserted by [2023 asp 4 s. 14\(3\)](#)
- s. 16ZA inserted by [2023 asp 4 s. 14\(2\)](#)
- s. 17E(6) inserted by [2023 asp 4 s. 14\(7\)\(d\)](#)
- s. 17DA inserted by [2023 asp 4 s. 14\(6\)](#)
- s. 17ZA inserted by [2023 asp 4 s. 14\(4\)](#)
- s. 18A(5) inserted by [2023 asp 4 s. 14\(8\)\(b\)](#)