
Changes to legislation: There are currently no known outstanding effects for the Nature Conservation (Scotland) Act 2004, Paragraph 23. (See end of Document for details)

SCHEDULE 6
PROTECTION OF WILDLIFE

- 23 (1) Section 27 (interpretation of Part I) is amended as follows.
- (2) In subsection (1)—
- (a) in the definition of “poultry”, for “domestic” substitute “ the domestic forms of the following, that is to say ”,
 - (b) in the definition of “wild bird”—
 - (i) for “kind” substitute “ species ”,
 - (ii) for “Great Britain” substitute “ any member State or the European territory of any member State ”,
 - (c) in the definition of “wild plant”, after “plant” insert “ (including fungi) ”.
- (3) After subsection (2) insert—
- “(2A) An animal shall not be treated as bred in captivity for the purposes of this Part unless its parents were lawfully held in captivity—
- (a) where the animal is of a viviparous species, when it was born,
 - (b) where the animal is of an oviparous species, when the egg was laid.”
- (4) After subsection (3) insert—
- “(3ZA) Any reference in this Part to a plant which is growing—
- (a) includes a reference to a bulb, corm or rhizome;
 - (b) does not include a reference to a seed or spore.”

Commencement Information

II Sch. 6 para. 23 in force at 1.10.2004 by [S.S.I. 2004/407](#), [art. 2\(b\)](#)

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