

WILDLIFE AND NATURAL ENVIRONMENT (SCOTLAND) ACT 2011

EXPLANATORY NOTES

THE ACT – BACKGROUND AND OVERVIEW

Part 3 – Deer

9. **Part 3** of the Act amends the Deer (Scotland) Act 1996.
10. Part I (sections 1 to 4) of the 1996 Act places a duty on SNH to further the conservation, control and sustainable management of deer. Part II of the 1996 Act (sections 5 to 16) provides for the setting of close seasons and creates mechanisms for SNH to work with landowners to manage deer numbers. Part III (sections 17 to 26) of the 1996 Act creates offences in relation to deer, including poaching offences which make it an offence to kill deer without the legal right to do so. Part IV (sections 27 to 48) of the 1996 Act regulates venison dealing and contains enforcement and other miscellaneous provisions.
11. The Act amends the 1996 Act to change the provisions which allow certain occupiers of land to shoot deer during close seasons. It requires SNH to prepare a code of practice in relation to deer management. It revises the purposes for, and the circumstances in which, SNH can exercise powers in relation to control agreements, control schemes and emergency measures to manage deer. It enables Ministers to make provision by order to require persons who shoot deer to be registered as competent to do so. Such orders may also be used to set out requirements for collecting data about numbers of deer killed (described in the Act as “cull returns”) extending further than any requirement under section 40 of the 1996 Act. It provides for offences by Scottish partnerships under the 1996 Act. It modifies the application of the 1996 Act to the Crown.