

*These notes relate to the Wildlife and Natural Environment (Scotland)
Act 2011 (asp 6) which received Royal Assent on 7 April 2011*

WILDLIFE AND NATURAL ENVIRONMENT (SCOTLAND) ACT 2011

EXPLANATORY NOTES

THE ACT – COMMENTARY ON SECTIONS

Part 3 – Deer

Section 27 – Deer management code of practice

179. **Section 27** of the Act inserts a new section 5A into the 1996 Act.

Code of practice on deer management – inserted section 5A of the 1996 Act

180. Section 5A of the 1996 Act imposes a duty on SNH to draw up a Code of Practice for the purpose of providing practical guidance in respect of deer management. Subsections (1) and (2) sets out the purpose and general content of the code. Subsections (3) to (8) sets procedural requirements for the preparation and entry into force of the code as well as its replacement or revision. These include requirements for public consultation, approval by Scottish Ministers and parliamentary procedure. A first, and any replacement, code of practice will be subject to affirmative procedure, with any revision to a code being subject to negative procedure. Subsection (12) requires SNH to monitor compliance with the code and to have regard to it in carrying out its own functions.