

SCHEDULE 1

(introduced by section 1)

DEER COMMISSION FOR SCOTLAND: MODIFICATIONS OF ENACTMENTS

Natural Heritage (Scotland) Act 1991 (c. 28)

- 1 The Natural Heritage (Scotland) Act 1991 is amended as follows.
- 2 In section 1 (establishment of Scottish Natural Heritage)—
 - (a) in subsection (1), after “be” where it third occurs insert—
 - “(a) in relation to natural heritage, those specified in subsection (1A) below,
 - (b) in relation to deer, those specified in section 1(1) of the Deer (Scotland) Act 1996 (c. 58).
 - (1A) SNH’s general aims and purposes in relation to natural heritage are—”,
 - (b) after subsection (3) insert—
 - “(4) In this Act, “natural heritage functions”, in relation to SNH, does not include the functions in relation to deer conferred on it by or under the Deer (Scotland) Act 1996 (c. 58) or any other enactment other than one in this Act.”.
- 3 In section 2 (general functions of SNH), in subsection (1)—
 - (a) in paragraph (b), after “its” where it second occurs insert “natural heritage”,
 - (b) in paragraph (c)—
 - (i) for “research”, where it first and second occurs, substitute “any research, inquiry or investigation”,
 - (ii) after “its” where it second and third occurs insert “natural heritage”,
 - (iii) for “itself” substitute “, inquiry or investigation itself or in collaboration with any other person”.
- 4 In section 3 (duty to take account of certain matters), in subsection (1), after “its” insert “natural heritage”.

Deer (Scotland) Act 1996 (c. 58)

- 5 The Deer (Scotland) Act 1996 is amended as follows.
- 6 For “the Commission” and “the Commission’s”, wherever those words occur (except in sections 24 and 27 and in the entry relating to section 24(b) in Schedule 3), substitute respectively “SNH” and “SNH’s”.
- 7 For the title of Part 1 substitute “Scottish Natural Heritage’s deer functions”.
- 8 (1) Section 1 (the Deer Commission for Scotland) is amended as follows.
 - (2) In subsection (1)—
 - (a) for the words from the beginning to “shall” where it second occurs substitute “Scottish Natural Heritage (in this Act referred to as “SNH”) has the following general aims and purposes in relation to deer”,
 - (b) in paragraph (a), after “Act,” insert “to”,
 - (c) in paragraph (b), at the beginning insert “to” and for “them” substitute “it”.

Status: This is the original version (as it was originally enacted).

- (3) After subsection (1) insert—
- “(1A) In this Act references to SNH’s deer functions are to the functions relating to deer conferred on it by or under this Act or any other enactment.”.
- (4) In subsection (2), for “their” substitute “its deer”.
- (5) Subsections (3) to (7) are repealed.
- 9 In section 2 (advice and annual reports)—
- (a) in subsection (1)(a), for “them” substitute “it”,
- (b) subsections (2) and (3) are repealed.
- 10 In section 3 (power to facilitate exercise of functions)—
- (a) in subsection (1), before “functions” insert “deer”,
- (b) in subsection (2), for “their” substitute “its”.
- 11 In section 4 (appointment of panels)—
- (a) in subsection (1), for “they consider” insert “it considers”,
- (b) in subsection (2)—
- (i) for “they think” substitute “it thinks”,
- (ii) for “their” substitute “its”,
- (c) in subsection (3)—
- (i) for “have” substitute “has”,
- (ii) for “they” substitute “it”,
- (d) in subsection (6), before “functions” insert “deer”.
- 12 In section 5 (close seasons)—
- (a) in subsection (3), for “they” in both places substitute “it”,
- (b) in subsection (4), for “have” substitute “has”,
- (c) in subsection (6), for “they are” substitute “it is”.
- 13 In section 7 (control agreements)—
- (a) in subsection (1)—
- (i) for “are” where it first occurs substitute “is”,
- (ii) for “they” substitute “it”,
- (b) in subsection (3), for “they” substitute “it”,
- (c) in subsection (4)—
- (i) for “they have” substitute “it has”,
- (ii) for “consider” substitute “considers”.
- 14 In section 8 (control schemes)—
- (a) in subsection (1)—
- (i) for “are” where it first occurs substitute “is”,
- (ii) for “they” where it first occurs substitute “it”,
- (iii) for “they consider” substitute “it considers”,
- (b) in subsection (8)—
- (i) for “are” in both places substitute “is”,
- (ii) for “they” in both places substitute “it”.
- 15 In section 9 (recovery of control scheme expenses)—
- (a) in subsection (1)—

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- (i) for “their” substitute “its”,
 - (ii) for “them” substitute “it”,
 - (b) in subsections (2) and (5), for “their” substitute “its”.
- 16 In section 10 (emergency measures)—
 - (a) in subsection (1)—
 - (i) for “are” where it first occurs substitute “is”,
 - (ii) in paragraph (b), for “their” substitute “its”,
 - (b) in subsection (2), for “are” substitute “is”,
 - (c) in subsection (3), for “them” substitute “it”,
 - (d) in subsection (4), for “their” substitute “its”,
 - (e) in subsection (5), for “them” substitute “it”,
 - (f) in subsection (7)—
 - (i) for “intend” substitute “intends”,
 - (ii) for “are” substitute “is”,
 - (iii) for “they” where it first occurs substitute “it”,
 - (iv) for “their” substitute “its”,
 - (v) for “they consider” substitute “it considers”,
 - (g) in subsection (8), for “their” insert “its”.
- 17 In section 11 (application of section 10 in relation to natural heritage), for “are” where it first and third occurs substitute “is”.
- 18 In section 12 (power to provide services and equipment etc.)—
 - (a) in subsection (3), for “decide” substitute “decides”,
 - (b) in subsection (4), for “them” substitute “it”.
- 19 In section 15 (power to enter on land), in subsection (3)(b), for “their” substitute “its”.
- 20 In section 16 (service of notices), in subsection (5), for “their” substitute “its”.
- 21 In section 18 (taking or killing deer at night), in subsection (2), for “they are” substitute “it is”.
- 22 In section 37 (restrictions on granting certain authorisations)—
 - (a) in subsection (1), for “they are” substitute “it is”,
 - (b) in subsection (4), for “think” substitute “thinks”,
 - (c) in subsection (5), for “they” substitute “it” and for “their” substitute “its”.
- 23 In section 39 (disposal of deer killed under authority), for “their” substitute “its”.
- 24 In section 40 (returns of number of deer killed), in subsection (1), for “their” substitute “its deer”.
- 25 Section 46 (financial provisions) is repealed.
- 26 (1) Schedule 1 (Deer Commission for Scotland: supplementary provisions) is repealed.
(2) Despite the repeal of paragraph 4 of Schedule 1, that paragraph continues to have effect in relation to the persons who were members of the Commission immediately before the date when section 1 comes into force.
- 27 In Schedule 2 (control schemes), in paragraph 1—
 - (a) for “decide” substitute “decides”,
 - (b) for “they” substitute “it”.

Status: This is the original version (as it was originally enacted).

Ethical Standards in Public Life etc. (Scotland) Act 2000 (asp 7)

- 28 In schedule 3 to the Ethical Standards in Public Life etc. (Scotland) Act 2000 (devolved public bodies), the entry relating to the Deer Commission for Scotland is repealed.

Scottish Public Services Ombudsman Act 2002 (asp 11)

- 29 In schedule 2 to the Scottish Public Services Ombudsman Act 2002 (listed authorities), in Part 2, the entry relating to the Deer Commission for Scotland is repealed.

Freedom of Information (Scotland) Act 2002 (asp 13)

- 30 In schedule 1 to the Freedom of Information (Scotland) Act 2002 (Scottish public authorities), in Part 7, the entry relating to the Deer Commission for Scotland is repealed.

Public Appointments and Public Bodies etc. (Scotland) Act 2003 (asp 4)

- 31 In schedule 2 to the Public Appointments and Public Bodies etc. (Scotland) Act 2003 (the specified authorities), the entry relating to the Deer Commission for Scotland is repealed.