



Wildlife and Countryside Act 1981

1981 CHAPTER 69

PART I

WILDLIFE

Supplemental

[^{F1}16A Delegation of licence-granting power: Scotland

- (1) The Scottish Ministers may delegate their functions in relation to licences under section 16 to—
 - (a) Scottish Natural Heritage; or
 - (b) a local authority.
- (2) But a function may be delegated to a local authority only in so far as it relates to—
 - (a) the development of land within the meaning of section 26(1) of the Town and Country Planning (Scotland) Act 1997 (c. 8); or
 - (b) the demolition of buildings within the meaning of section 55 of the Building (Scotland) Act 2003 (asp 8).
- (3) A delegation may be, to any degree, general or specific and may in particular relate to—
 - (a) a particular type of bird, other animal or plant;
 - (b) a particular licence or type of licence;
 - (c) a particular area.
- (4) Unless it specifies otherwise, a delegation relating to a particular type of licence includes the power to modify or revoke licences of that type that were granted before the delegation.
- (5) A delegation to—
 - (a) Scottish Natural Heritage under subsection (1)(a) is to be made by written direction;

Changes to legislation: *Wildlife and Countryside Act 1981, Section 16A is up to date with all changes known to be in force on or before 22 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*

- (b) a local authority under subsection (1)(b) is to be made by order.
- (6) A local authority which is delegated a function under subsection (1)(b) must, before granting or modifying a licence, consult Scottish Natural Heritage.
- (7) The Scottish Ministers may modify or revoke a direction under subsection (5)(a).
- (8) Where a direction or order under subsection (5) is revoked, any existing licence granted under the direction or order continues to have effect (unless the revoking direction or order provides otherwise).]

Textual Amendments

- F1** S. 16A inserted (S.) (29.6.2011) by [Wildlife and Natural Environment \(Scotland\) Act 2011 \(asp 6\)](#), ss. **18(3)**, 43(1) (with s. 41(1)); S.S.I. 2011/279, art. 2(1)(j)

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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. 53(3)(c)(ia) inserted by [2015 c. 20 Sch. 7 para. 2\(b\)](#)
- s. 53B(4A)(4B) inserted by [2015 c. 20 Sch. 7 para. 4](#)
- s. 53ZA inserted by [2015 c. 20 Sch. 7 para. 3](#)
- s. 54B54C inserted by [2015 c. 20 Sch. 7 para. 5](#)
- Sch. 13A inserted by [2015 c. 20 Sch. 7 para. 6](#)
- Sch. 14A inserted by [2015 c. 20 Sch. 7 para. 7](#)