



Deer Act 1991

1991 CHAPTER 54

Offences relating to deer

6 General exceptions to certain provisions of this Act.

- (1) Nothing in section 2 or section 3 above shall make unlawful anything done in pursuance of a requirement by the Minister of Agriculture, Fisheries and Food under section 98 of the ^{M1}Agriculture Act 1947.
- (2) A person shall not be guilty of an offence under section 2 or section 3 above by reason of any act done for the purpose of preventing the suffering of an injured or diseased deer.
- [^{F1}(2A) A person shall not be guilty of an offence under section 2 or section 3 above by reason of taking or killing a deer that he reasonably believes—
 - (a) has been deprived in any way (other than by an unlawful taking or killing by that person) of a female deer on which it was dependent; or
 - (b) is about to be deprived, by death from disease or a lawful taking or killing, of a female deer on which it is dependent.]
- (3) A person shall not be guilty of an offence under section 4(1)(a) or section 4(1)(b) above by reason of setting in position, or using, any trap or net for the purpose of preventing the suffering of an injured or diseased deer.
- [^{F2}(4) A person shall not be guilty of an offence under section 4(1) or (2) above by reason of the use of any reasonable means for the purpose of killing any deer if he reasonably believes that the deer has been so seriously injured, otherwise than by his unlawful act, or is in such condition, that to kill it is an act of mercy.]
- [^{F3}(4A) In subsection (4) above, “any reasonable means” means any method of killing a deer that can reasonably be expected to result in rapid loss of consciousness and death and which is appropriate in all the circumstances (including in particular what the deer is doing, its size, its distance from the closest position safely attainable by the person attempting to kill the deer and its position in relation to vegetative cover).]

Changes to legislation: There are currently no known outstanding effects for the Deer Act 1991, Section 6. (See end of Document for details)

- (5) A person shall not be guilty of an offence under section 4(2)(a) above by reason of the use as a slaughtering instrument, for the purpose of killing any deer, of a smooth-bore gun which—
- (a) is of not less gauge than 12 bore;
 - (b) has a barrel less than 24 inches (609.6 millimetres) in length; and
 - (c) is loaded with a cartridge purporting to contain shot none of which is less than .203 inches (5.16 millimetres) in diameter (that is to say, size AAA or any larger size).
- [^{F4}(6) A person shall not be guilty of an offence under section 4(2)(a) above if he uses for the purpose of taking or killing or injuring any Chinese water deer (*Hydropotes inermis*) or muntjac deer (*Muntiacus reevesi*)—
- (a) a rifle having a calibre of not less than .220 inches and a muzzle energy of not less than 1,356 joules (1000 foot pounds), and
 - (b) a soft-nosed or hollow-nosed bullet weighing not less than 3.24 grammes (50 grains).]

Textual Amendments

- F1** S. 6(2A) inserted (1.10.2007) by [The Regulatory Reform \(Deer\) \(England and Wales\) Order 2007 \(S.I. 2007/2183\)](#), arts. 1(1), **3(2)**
- F2** S. 6(4) substituted (1.10.2007) by [The Regulatory Reform \(Deer\) \(England and Wales\) Order 2007 \(S.I. 2007/2183\)](#), arts. 1(1), **3(3)**
- F3** S. 6(4A) inserted (1.10.2007) by [The Regulatory Reform \(Deer\) \(England and Wales\) Order 2007 \(S.I. 2007/2183\)](#), arts. 1(1), **3(4)**
- F4** S. 6(6) inserted (1.10.2007) by [The Regulatory Reform \(Deer\) \(England and Wales\) Order 2007 \(S.I. 2007/2183\)](#), arts. 1(1), **3(5)**

Marginal Citations

- M1** 1947 c. 48.

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