

*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 2 – Wildlife under the 1981 Act

Section 13 – Snares

Subsection (3)

Snares: duty to inspect etc. - inserted section 11B of the 1981 Act

85. Section 11B of the 1981 Act moves the requirements in relation to animals caught in snares from section 11(3) to (3B) of the 1981 Act but does not alter their effect.
86. Subsection (1) requires a person who sets a snare to ensure that it is inspected at least every 24 hours to see whether there is an animal caught in the snare, and whether the snare is free-running (as defined in subsection (4)). If an animal is found to be caught then it must be released or removed. If the snare is found not to be free-running then it must be removed or mended to make it free-running.
87. Subsection (3) provides that it is an offence to fail to comply with these requirement.
88. The requirements in relation to whether the snare is free-running re-enact with modifications article 2 of the Snares Order.