



Wildlife and Natural Environment (Scotland) Act 2011

2011 asp 6

PART 3

DEER

27 Deer management code of practice

(1) After section 5 of the 1996 Act insert—

“Code of practice on deer management

5A Code of practice on deer management

- (1) SNH must draw up a code of practice for the purpose of providing practical guidance in respect of deer management.
- (2) The code of practice may, in particular—
 - (a) recommend practice for sustainable deer management;
 - (b) make provision about collaboration in deer management;
 - (c) set out examples of circumstances in which SNH may seek to secure a control agreement or make a control scheme;
 - (d) make different provision for different cases and, in particular, for different circumstances, different times of the year or different areas.
- (3) SNH must from time to time review the code of practice.
- (4) SNH may replace or revise the code of practice.
- (5) Before drawing up, replacing or revising the code, SNH must consult any person appearing to them to have an interest in the code.
- (6) SNH must submit a proposed code of practice (or a proposed replacement or revision) to the Scottish Ministers and, on receiving it, the Scottish Ministers may—

Status: This is the original version (as it was originally enacted).

- (a) approve it, with or without modifications; or
 - (b) reject it.
 - (7) Where the Scottish Ministers reject a proposed code of practice (or a proposed replacement or revision) under subsection (6)(b) above they may either instruct SNH to submit a new code (or replacement or revision) or they may substitute a new code (or replacement or revision) of their own devising.
 - (8) The first code of practice, and any replacement code of practice—
 - (a) must be laid before, and approved by resolution of, the Scottish Parliament; and
 - (b) comes into effect on such date after approval under paragraph (a) as is specified in the code.
 - (9) Any revision to a code of practice must—
 - (a) be laid before the Scottish Parliament; and
 - (b) specify the date on which it is to come into effect (such date to be at least 40 days after it is so laid, disregarding any period during which the Parliament is dissolved or in recess).
 - (10) The Scottish Parliament may, before such revision comes into effect, resolve that it is not to come into effect.
 - (11) The Scottish Ministers must publish a code of practice (or any replacement or revision) no later than the day before the code (or replacement or revision) is to come into effect.
 - (12) SNH must—
 - (a) monitor compliance with a code of practice drawn up under this section; and
 - (b) have regard to such a code in exercising its functions under this Act.”.
- (2) In section 45(1) (interpretation) of the 1996 Act, after the definition of “animal foodstuffs” insert—
- ““code of practice on deer management” means the code of practice currently in operation in pursuance of section 5A of this Act;”.