



# Wildlife and Countryside Act 1981

## 1981 CHAPTER 69

### PART I

#### WILDLIFE

##### *Protection of other animals [F1 and prevention of poaching]*

#### [F1 11H Exceptions to s. 11G

- (1) A person is not guilty of an offence under section 11G(1)—
  - (a) by reason of the killing of an animal included in Schedule 6A if he had a legal right, or permission from a person who had a right to give permission, to kill such an animal; or
  - (b) by reason of the taking of such an animal if he had a legal right, or permission from a person who had a right to give permission, to take such an animal.
- (2) A person is not guilty of an offence under section 11G(1) by reason of the killing of an animal included in Schedule 6A if he shows that the animal had been so seriously disabled otherwise than by his unlawful act that there was no reasonable chance of its recovering.
- (3) Nothing in section 11G makes unlawful—
  - (a) anything done in pursuance of a requirement by the Scottish Ministers under section 39 of the Agriculture (Scotland) Act 1948; or
  - (b) anything done under, or in pursuance of an order made under, the Animal Health Act 1981.]

#### Textual Amendments

**F1** Ss. 11G , 11H inserted (S.) (29.6.2011) by [Wildlife and Natural Environment \(Scotland\) Act 2011 \(asp 6\)](#), **ss. 7(3), 43(1)** (with s. 41(1)); [S.S.I. 2011/279](#), art. 2(1)(e)

**Status:**

Point in time view as at 01/01/2012.

**Changes to legislation:**

Wildlife and Countryside Act 1981, Section 11H is up to date with all changes known to be in force on or before 12 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.