



# Deer Act 1991

## 1991 CHAPTER 54

### *Enforcement etc.*

#### **12 Powers of search, arrest and seizure.**

- (1) If a constable suspects with reasonable cause that any person is committing or has committed an offence under this Act, the constable may without warrant—
  - (a) stop and search that person if the constable suspects with reasonable cause that evidence of the commission of the offence is to be found on that person;
  - (b) search or examine any vehicle, animal, weapon or other thing which that person may then be using if the constable suspects with reasonable cause that evidence of the commission of the offence is to be found on that vehicle, animal, weapon or other thing;
  - (c) seize and detain for the purposes of proceedings under this Act anything which is evidence of the commission of the offence and any deer, venison, vehicle, animal, weapon or other thing which is liable to be forfeited under section 13 below.
- (2) For the purposes of—
  - (a) exercising the powers conferred by subsection (1) above, or
  - (b) arresting a person, in accordance with [F1section 24] of the M1Police and Criminal Evidence Act 1984 (general arrest conditions), for an offence under this Act,a constable may enter any land other than a dwelling-house.
- (3) A constable may sell any deer or venison seized under this section and the net proceeds of the sale shall be liable to be detained and forfeited in the same manner as the deer or venison sold; but he shall not be subject to any liability on account of his neglect or failure to exercise the powers conferred on him by this subsection.

#### **Textual Amendments**

- F1** Words in s. 12(2)(b) substituted (1.1.2006) by [Serious Organised Crime and Police Act 2005 \(c. 15\)](#), s. 178(8), [Sch. 7 para. 61](#); S.I. 2005/3495, art. 2(1)(m)

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*Status: Point in time view as at 01/01/2006.*

*Changes to legislation: There are currently no known outstanding effects for the Deer Act 1991, Cross Heading: Enforcement etc.. (See end of Document for details)*

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**Marginal Citations**

**M1** 1984 c. 60.

**13 Forfeitures and disqualifications.**

- (1) The court by which a person is convicted of any offence under this Act may order the forfeiture of—
  - (a) any deer or venison in respect of which the offence was committed or which was found in that person's possession;
  - (b) any vehicle, animal, weapon or other thing which was used to commit the offence or which was capable of being used to take, kill or injure deer and was found in his possession.
- (2) Where the offence of which the person is convicted is an offence under any of sections 1, 10 and 11 above or under subsection (3)(c) below, the court (without prejudice to its powers under subsection (1) above)—
  - (a) may disqualify that person for holding or obtaining a licence to deal in game for such period as the court thinks fit; and
  - (b) may cancel any firearm or shotgun certificate held by him.
- (3) Where the court cancels a firearm or shotgun certificate under subsection (2)(b) above—
  - (a) the court shall cause notice in writing of that fact to be sent to the chief officer of police by whom the certificate was granted; and
  - (b) the chief officer of police shall by notice in writing require the holder of the certificate to surrender it; and
  - (c) if the holder fails to surrender the certificate within twenty-one days from the date of that requirement, he shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 2 on the standard scale.

**14 Offences by bodies corporate.**

- (1) Where an offence under any of sections 1, 10 and 11 above which has been committed by a body corporate is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of, any director, manager, secretary or other similar officer of the body corporate or any person who was purporting to act in any such capacity, he as well as the body corporate shall be guilty of that offence and be liable to be proceeded against and punished accordingly.
- (2) Where the affairs of a body corporate are managed by its members, subsection (1) above shall apply in relation to the acts and defaults of a member in connection with his functions of management as if he were a director of the body corporate.

**Status:**

Point in time view as at 01/01/2006.

**Changes to legislation:**

There are currently no known outstanding effects for the Deer Act 1991, Cross Heading: Enforcement etc..