



Deer (Scotland) Act 1996

1996 CHAPTER 58

PART III

OFFENCES IN RELATION TO DEER

[^{F1}Other offences and attempts to commit offences]

18 Taking or killing at night.

- (1) Subject to sections 25 and 41(2) of this Act and to subsection (2) below, any person who takes or wilfully kills or injures deer between the expiration of the first hour after sunset and the commencement of the last hour before sunrise shall be guilty of an offence.
- (2) Notwithstanding anything contained in any agreement between the occupier of agricultural land or of woodland and the owner thereof, but subject to section 37 of this Act, [^{F1}SNH] may authorise such an occupier or any person nominated in writing by such an occupier to take or kill, and to sell or otherwise dispose of, any deer on any such land or woodland during the period specified in subsection (1) above, where [^{F2}it is] satisfied that—
 - [^{F3}(a) the taking or killing is necessary—
 - (i) to prevent damage to crops, pasture, human or animal foodstuffs, or to woodland; or
 - (ii) in the interests of public safety; and]
 - (b) no other means of control which might reasonably be adopted in the circumstances would be adequate.

Textual Amendments

- F1** Word in Act substituted (1.8.2010) by [Public Services Reform \(Scotland\) Act 2010 \(asp 8\)](#), s. 134(7), [Sch. 1 para. 6](#); S.S.I. 2010/221, art. 3(2), Sch.
- F2** Words in s. 18(2) substituted (1.8.2010) by [Public Services Reform \(Scotland\) Act 2010 \(asp 8\)](#), s. 134(7), [Sch. 1 para. 21](#); S.S.I. 2010/221, art. 3(2), Sch.

Changes to legislation: There are currently no known outstanding effects for the Deer (Scotland) Act 1996, Section 18. (See end of Document for details)

F3 S. 18(2)(a) substituted (1.1.2012) by Wildlife and Natural Environment (Scotland) Act 2011 (asp 6), ss. 26(5), 43(1) (with s. 41(1)); S.S.I. 2011/433, art. 2(1)(f)

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There are currently no known outstanding effects for the Deer (Scotland) Act 1996, Section 18.