



Deer (Scotland) Act 1996

1996 CHAPTER 58

PART IV

ENFORCEMENT, LICENSING OF VENISON DEALING AND MISCELLANEOUS PROVISIONS

Enforcement

27 Powers of search and seizure.

- (1) A constable may seize any deer liable to be forfeited on conviction of an offence under this Act.
- (2) Where a sheriff or any justice of the peace is satisfied by information on oath that—
 - (a) there is reasonable ground to suspect a relevant offence to have been committed; and
 - (b) evidence of the commission of the offence is to be found on any premises or in any vehicle,he may grant a warrant authorising any constable at any time or times within one week of the date of such warrant to enter, if necessary by force, the said premises and every part thereof or the said vehicle for the purpose of detecting the offence.
- (3) A constable authorised by a warrant granted under subsection (2) above may—
 - (a) search every person who is found in, or whom he has reasonable ground to believe to have recently left or to be about to enter the premises or, as the case may be, vehicle to which the warrant relates; and
 - (b) seize any article found on the premises, or in the vehicle, or on any such person which he has reasonable grounds for believing to be evidence of the commission of a relevant offence.
- (4) Where a constable has reasonable grounds to—
 - (a) suspect that—
 - (i) a relevant offence has been committed; and

Changes to legislation: *There are currently no known outstanding effects for the Deer (Scotland) Act 1996, Section 27. (See end of Document for details)*

- (ii) evidence of the commission of the offence is to be found in any vehicle; and
 - (b) believe that by reason of urgency or other good cause it is impracticable to apply for a warrant to search such a vehicle,
he may stop and search that vehicle, and may exercise the same power of search and seizure in relation to it as might be conferred under subsection (2) above by a warrant of the sheriff or of a justice of the peace.
- (5) In subsections (2) to (4) above, a “relevant offence” is an offence under Part III, or under section 36(1) or (4), of this Act.
- (6) No search of a female person shall be carried out in pursuance of any search authorised by this section except by a female person.

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