



Deer (Scotland) Act 1959

1959 CHAPTER 40

PART V

SUPPLEMENTARY

32 Interpretation of Parts III and IV

For the purposes of Parts III and IV of this Act unless the context otherwise requires—

"ammunition" has the same meaning as in section thirty-two of the Firearms Act, 1937 ;

"deer" means deer of any species and includes the carcase of any deer or any part thereof;

"firearm" has the same meaning as in section thirty-two of the Firearms Act, 1937 ;

"land" includes land covered by water, but does not include a dwelling-house or any yard, garden, outhouses and pertinents belonging thereto or usually enjoyed therewith;

"vehicle" includes any conveyance other than a vehicle used for the purposes of a passenger transport service within the meaning of the Transport Act, 1947.

33 Exemptions for certain acts

- (1) A person shall not be guilty of any offence against this Act or any order made thereunder in respect of any act done for the prevention of suffering by an injured or diseased deer.
- (2) A person shall not be guilty of any offence against this Act, other than an offence against section twenty-three, in respect of any act done under the authority of or at the request of the Commission in pursuance of section six of this Act or in pursuance of a control scheme.
- (3) Notwithstanding the provisions of section twenty-one of this Act, or of any order made thereunder, it shall not be an offence for an occupier of agricultural land or of enclosed

Status: This is the original version (as it was originally enacted).

woodlands, or for any person authorised by him in writing in that behalf, to take or kill during a close season any deer found on any arable land, garden grounds or land laid down in permanent grass (other than moorland and unenclosed land) forming part of that land, or on such woodlands, as the case may be.

- (4) Notwithstanding the provisions of subsection (1) of section twenty-three of this Act, it shall not be an offence for an occupier of agricultural land or of enclosed woodlands to take or kill during the period specified in that subsection any deer found on any such arable land, garden grounds or land laid down in permanent grass as aforesaid, or on such woodlands, as the case may be.
- (5) The provisions of the last two foregoing subsections shall be construed as one with the Agriculture (Scotland) Act, 1948.

34 Application of Act to the Crown

This Act shall apply to land an interest in which belongs to Her Majesty in right of the Crown and land an interest in which belongs to a government department or is held in trust for Her Majesty for the purposes of a government department ; but in its application to any land an interest in which belongs or is held as aforesaid this Act shall have effect subject to such modifications as may be prescribed by regulations made by the Secretary of State under this Act.

35 Orders, regulations, etc.

- (1) Any order or regulations made under this Act shall be embodied in a statutory instrument which shall be subject to annulment in pursuance of a resolution by either House of Parliament.
- (2) Any order made under this Act may be varied or revoked by a subsequent order made in the like manner.

36 Enactments repealed

The enactments specified in the Third Schedule to this Act are hereby repealed to the extent specified in the third column of that Schedule.

37 Short title, extent and commencement

- (1) This Act may be cited as the Deer (Scotland) Act, 1959.
- (2) This Act, except in so far as it relates to the amendment of the House of Commons Disqualification Act, 1957, shall extend to Scotland only.
- (3) This Act, except where otherwise expressly provided, shall come into force at the expiry of one month beginning with the date of its passing.