
EXPLANATORY NOTE

(This note is not part of the Order)

This Order is made under section 1 of the Regulatory Reform Act 2001. It amends the Game Act 1831 and the Deer Act 1991, repeals the Game Licences Act 1860, and:

- (a) removes the requirement to hold a game licence in order to take or kill game;
- (b) removes the requirement to hold a local authority licence and an excise licence (dealing licences) in order to deal in game; and
- (c) removes the restrictions on dealing in game birds and venison during the close season, permitting game to be sold by everyone all year round provided that the animal in question was lawfully killed.

Articles 2 and 3 make amendments relating to game licences. Article 2 amends the Game Act 1831 and article 3 repeals the Game Licences Act 1860. Together they remove the requirement to obtain a game licence to kill or take game and the requirement to obtain a local authority licence and an excise licence to deal in game.

Article 4 repeals section 4 of the Game Act 1831 under which it was an offence to buy or sell game birds at certain times of the year. Article 5 replaces this with a new offence of selling, offering or exposing for sale, possessing or transporting for the purposes of sale any game bird that has been killed or taken in contravention of the legislation listed in new section 3A(2), where the person concerned knows, or has reason to believe, it had been so taken or killed.

Article 6 introduces the Schedule. Part 1 of the Schedule makes consequential repeals and revocations. This includes removing the seasonal restriction on the selling of venison by unlicensed persons found in the Deer Act 1991. This will mean that venison can be sold by any person all year round, providing it is lawfully sourced. Part 1 also removes the record keeping requirements relating to the sale and purchase of venison found in section 11 of the Deer Act 1991.

Part 2 of the Schedule makes consequential amendments to the Deer Act 1991.

A Regulatory Impact Assessment has been prepared and placed in the library of each House of Parliament. Copies can be obtained from Defra (Wildlife Species Conservation Division), Temple Quay House (Zone 1/11), 2 The Square, Temple Quay, Bristol, BS1 6EB.