



Protection of Wild Mammals (Scotland) Act 2002

2002 asp 6

3 Exception: use of a dog in connection with falconry and shooting

Where an occupier of land (or a person acting with the occupier's permission) is using a bird of prey, or a firearm or shotgun, for the purpose of sport, that person does not commit an offence under section 1(1) by using a dog under control to stalk a wild mammal, or flush it from cover above ground, for the purpose of providing quarry for the sport, but only if—

- (a) that person acts to ensure that, once a wild mammal is found or emerges from cover, it is shot, or killed by a bird of prey, as soon as possible;
- (b) where a firearm or shotgun is used, that person holds a valid firearms or shotgun certificate or a valid visitor's firearm or shot gun permit; and
- (c) where a wild mammal is shot and injured, that person takes all reasonable steps to retrieve it and, once retrieved, to kill it as humanely as possible.