

*These notes relate to the Wildlife and Natural Environment (Scotland)  
Act 2011 (asp 6) which received Royal Assent on 7 April 2011*

# **WILDLIFE AND NATURAL ENVIRONMENT (SCOTLAND) ACT 2011**

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## **EXPLANATORY NOTES**

### **THE ACT – COMMENTARY ON SECTIONS**

#### **Part 3 – Deer**

##### ***Section 29 – Deer: close seasons etc.***

187. **Section 29** of the Act amends sections 5, 26 and 37 of the 1996 Act.
188. Under section 26 of the 1996 Act, occupiers will retain the right to take or kill deer where there is for the purpose of preventing damage (previously this was serious damage) but will require an authorisation under section 5 of that Act if they wish to do so during the close seasons. SNH will be able to grant authorisations under section 5 of that Act for the purposes of preventing damage to crops, pasture, human or animal foodstuffs or enclosed woodland. It will be possible to issue general authorisations to classes of people (e.g. occupiers) or in respect of types of land (e.g. arable land). The requirement to consider fitness and competence under section 37 of that Act will continue to apply except when considering authorisations to occupiers for the purposes of preventing damage to crops, pasture, human or animal foodstuffs or enclosed woodland.