

*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

EXPLANATORY NOTES

THE ACT – COMMENTARY ON SECTIONS

Part 4 – Other Wildlife Etc.

Section 34 – Muirburn

Subsection (5)

225. Subsection (5) amends section 24 of the 1946 Act, which provides for the right of a tenant to make muirburn in certain circumstances notwithstanding the terms of the lease.
226. It inserts a new subsection (2A) into that section, which makes further provision in respect of the requirement in section 24(2) of the 1946 Act to give notice of intended muirburn under section 24(2). The effect is that a tenant may give the notice of their intention to make muirburn to a person purporting to be authorised by a proprietor of land to receive such notice ,and the notice (whoever given to) must be in writing.