



# Land Reform (Scotland) Act 2016

## 2016 asp 18

### PART 8

#### DEER MANAGEMENT

#### **81 Power to require return on number of deer planned to be killed**

- (1) The Deer (Scotland) Act 1996 is amended as follows.
- (2) In section 16 (service of notices), in subsection (1A), for “and 40(1)” substitute “, 40(1) and 40A(1) ”.
- (3) In section 17A (register of persons competent to shoot deer)—
  - (a) in subsection (2)(a)(xiii), for “section 40” substitute “ sections 40 and 40A ”,
  - (b) in subsection (6)—
    - (i) in paragraph (a), after “return” insert “ within the meaning given by subsection (7)(a) or (b)(i) ”,
    - (ii) “or” immediately after paragraph (a) is repealed,
    - (iii) after paragraph (a) insert—
      - “(aa) fails without reasonable cause to submit a cull return within the meaning given by subsection (7)(b)(ii) in accordance with regulations made under subsection (1)(d) above, or”,
    - (iv) in paragraph (b), for “so submitted” substitute “ referred to in paragraph (a) ”,
  - (c) in subsection (7), for paragraph (b) substitute—
    - “(b) when required to be submitted by an owner or occupier of land, means—
      - (i) a written statement showing the number of deer of each species and of each sex which to his knowledge has been taken or killed on the land, or
      - (ii) a written statement showing the number of deer of each species and of each sex which are planned to be killed on the land in the following year.”.
- (4) After section 40 insert—

*Status: Point in time view as at 28/06/2016.*

*Changes to legislation: Land Reform (Scotland) Act 2016, Section 81 is up to date with all changes known to be in force on or before 23 January 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

### **“40A Power of SNH to require return of number of deer planned to be killed**

- (1) SNH may, for the purposes of any of its deer functions, by notice served on the owner or occupier of any land require the owner or occupier to make a return, in such form as SNH may require, showing how many deer of each species and of each sex are planned to be killed on the land in the following year.
- (2) A notice served under subsection (1) must specify a period, of not more than 1 year immediately following the date of service of the notice, for which the return must be completed.
- (3) Any person on whom a notice under subsection (1) has been served who fails without reasonable cause to make the required return within 36 days after the service of the notice commits an offence.”.
- (5) In schedule 3 (penalties)—
  - (a) in the entry relating to section 17A(6), in column 1, for “17A(6)” substitute “ 17A(6)(a) or (b) ”,
  - (b) after that entry, insert—

“17A(6)(aa)	Failure to submit cull return	a fine of level 3 on the standard scale”,
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- (c) after the entry relating to section 40(4), insert—

““40A(3)	Failure to make return of number of deer planned to be killed.	a fine of level 3 on the standard scale.”.
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#### **Commencement Information**

**II** S. 81 in force at 28.6.2016 by S.S.I. 2016/193, reg. 2(1), Sch.

**Status:**

Point in time view as at 28/06/2016.

**Changes to legislation:**

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