



# Wildlife Management and Muirburn (Scotland) Act 2024

2024 asp 4

## PART 1

### WILDLIFE MANAGEMENT

#### *Investigation of wildlife offences*

PROSPECTIVE

#### **11 Powers to inspect and investigate certain wildlife offences**

- (1) The Animal Health and Welfare (Scotland) Act 2006 is amended as follows.
- (2) In section 49 (vets, inspectors and constables)—
  - (a) after subsection (2) insert—

“(2A) A local authority may not appoint a person as an inspector under subsection (2)(b) for the purposes of paragraph 5A of schedule 1.”,
  - (b) in subsection (3), for “subsection (2)(b)” substitute “subsections (2)(b) and (2A)”.
- (3) In section 51 (regulations), after subsection (3) insert—

“(4) For the avoidance of doubt, in this section “this Part” includes schedule 1.”.
- (4) In schedule 1 (powers of inspectors and constables for Part 2), after paragraph 5 insert—

*“Supplementary powers of inspectors: evidence gathering in connection with wildlife offences*

- 5A (1) An inspector, having entered non-domestic premises in exercise of a relevant power, may search for, examine and seize any thing tending to

*Status: This version of this provision is prospective.*

*Changes to legislation: There are currently no known outstanding effects for the Wildlife Management and Muirburn (Scotland) Act 2024, Section 11. (See end of Document for details)*

provide evidence of the commission of, or participation in, a relevant offence.

(2) In this paragraph—

“relevant offence” is an offence under—

(a) the following provisions of the Wildlife and Countryside Act 1981—

- (i) section 1 (protection of wild birds etc.),
- (ii) section 5 (prohibition of certain methods of killing or taking wild birds),
- (iii) section 6 (sale etc. of wild birds),
- (iv) section 7 (registration of certain captive birds),
- (v) section 8 (protection of captive birds),
- (vi) section 9 (protection of certain wild animals),
- (vii) section 10A (protection of wild hares),
- (viii) section 11 (prohibition of certain methods of killing or taking wild animals),
- (ix) section 11G (prevention of poaching: wild hares, rabbits etc.),
- (x) section 11I (sale, possession, etc. of wild hares, rabbits etc.),
- (xi) section 12A (requirements for use of traps),
- (xii) section 12F (authorisation from landowners etc. to use traps),
- (xiii) section 15A (possession of pesticides),

(b) section 1 or 2 of the Wildlife Management and Muirburn (Scotland) Act 2024,

“thing” includes any animal (including the carcass of an animal), equipment or document.

(3) The Scottish Ministers may by regulations modify the definition of “relevant offence” in sub-paragraph (2).”.

#### Commencement Information

**II** S. 11 not in force at Royal Assent, see [s. 35\(2\)](#)

**Status:**

This version of this provision is prospective.

**Changes to legislation:**

There are currently no known outstanding effects for the Wildlife Management and Muirburn (Scotland) Act 2024, Section 11.