



Hunting with Dogs (Scotland) Act 2023

2023 asp 1

PART 1

HUNTING A WILD MAMMAL USING A DOG

Offences

1 Offence of hunting a wild mammal using a dog

- (1) A person commits an offence if—
 - (a) the person hunts a wild mammal using a dog, and
 - (b) none of the exceptions in sections 3, 5, 6, 7, 8 or 9 apply.
- (2) A person who commits an offence under [subsection \(1\)](#) is liable—
 - (a) on summary conviction, to imprisonment for a term not exceeding 12 months or a fine not exceeding £40,000 (or both),
 - (b) on conviction on indictment, to imprisonment for a term not exceeding 5 years or a fine (or both).
- (3) In this Act—

“hunting” includes, in particular, searching for and coursing (and related expressions are to be construed accordingly),

“wild mammal” means any mammal (other than a human)—

 - (a) which—
 - (i) is living in a wild state,
 - (ii) is of a species recognised as living in a wild state in the British Islands (as defined in schedule 1 of the Interpretation Act 1978),
or
 - (iii) has been deliberately released from temporary or permanent human control, and
 - (b) which is not—
 - (i) a rat,
 - (ii) a mouse, or
 - (iii) living under temporary or permanent human control.

*Changes to legislation: There are currently no known outstanding effects for the
Hunting with Dogs (Scotland) Act 2023, Section 1. (See end of Document for details)*

- (4) In this Part, a person is “using a dog” when the hunting of a wild mammal by that person involves the use of a dog, even if the dog is not under that person’s control or direction (and related expressions are to be construed accordingly).

Commencement Information

- I1** S. 1 not in force at Royal Assent, see **s. 31(2)**
I2 S. 1 in force at 3.10.2023 by **S.S.I. 2023/262, reg. 2**

Changes to legislation:

There are currently no known outstanding effects for the *Hunting with Dogs (Scotland) Act 2023*, Section 1.