
SCOTTISH STATUTORY INSTRUMENTS

2012 No. 175

**The Wildlife and Natural Environment (Scotland)
Act 2011 (Commencement No. 4, Savings
and Transitional Provisions) Order 2012**

Savings and transitional provisions

3.—(1) Despite the repeal of sections 3 (grant and revocation of licences) and 8 (saving in respect of animals kept for exhibition etc.) of the 1932 Act by section 25 of, and Part 2 of the Schedule to, the 2011 Act, a licence granted under the repealed sections—

- (a) remains in effect;
- (b) is subject to such conditions as are applied by an enactment listed in Schedule 2 to the Wildlife and Countryside Act 1981 (Keeping and Release and Notification Requirements) (Scotland) Order 2012(1), despite the revocation of those enactments by that Order; and
- (c) is deemed to be a licence granted under section 16(4) of the 1981 Act disapplying a prohibition in or under section 14ZC of that Act.

(2) Despite the repeal of section 1 (power to limit the import etc. of fish and fish eggs) of the 1978 Act by section 25 of, and Part 2 of the Schedule to, the 2011 Act, a licence granted under the repealed section—

- (a) remains in effect; and
- (b) is deemed to be a licence granted under section 16(4) of the 1981 Act disapplying a prohibition in or under section 14 or 14ZC of that Act.

(3) Despite the substitution of section 14(1) to (2) of the 1981 Act by section 14(2)(a) of the 2011 Act, a licence granted under section 16(4) of the 1981 Act disapplying a prohibition in section 14(1) to (2) of that Act (prior to amendment by the 2011 Act)—

- (a) remains in effect; and
- (b) is deemed to be a licence granted under section 16(4) of the 1981 Act disapplying a prohibition in or under section 14 of that Act (as amended).

(4) An application for a licence under—

- (a) section 3 or 8 of the 1932 Act;
- (b) section 1 of the 1978 Act; or
- (c) section 16(4) of the 1981 Act in respect of section 14(1) to (2) of that Act (prior to amendment by the 2011 Act),

so far as it relates to a matter prohibited by or under section 14 or 14ZC of the 1981 Act is, if not determined by the appointed day, to be treated as an application for a licence under section 16(4) of the 1981 Act (as amended).