



# Deer Act 1991

## 1991 CHAPTER 54

### *Offences relating to venison etc.*

#### **10 Offences relating to sale and purchase etc. of venison**

- (1) If any person who is not a licensed game dealer—
  - (a) at any time during the prohibited period sells or offers or exposes for sale, or has in his possession for sale, any venison to which this paragraph applies, or
  - (b) at any time sells or offers or exposes for sale any venison otherwise than to a licensed game dealer,he shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 3 on the standard scale.
- (2) Paragraph (a) of subsection (1) above applies to any venison which comes from a deer of a species and description in relation to which a close season is prescribed by Schedule 1 to this Act; and the prohibited period, in relation to any such venison, is the period beginning with the expiry of the tenth day, and ending with the expiry of the last day, of that close season.
- (3) If any person—
  - (a) sells or offers or exposes for sale, or has in his possession for sale, or
  - (b) purchases or offers to purchase or receives,any venison which comes from a deer to which this subsection applies, he shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 4 on the standard scale or to imprisonment for a term not exceeding three months or to both.
- (4) Subsection (3) above applies to any deer—
  - (a) which has been taken or killed in circumstances which constitute an offence under any of the preceding provisions of this Act; and
  - (b) which the person concerned knows or has reason to believe has been so taken or killed.
- (5) In this section—

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*Status: This is the original version (as it was originally enacted).*

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“licensed game dealer” means a person licensed to deal in game under the Game Act 1831 and the Game Licences Act 1860, and includes a servant of such a person; and

“sale” includes barter and exchange, and “sell” and “purchase” shall be construed accordingly.

## **11 Licensed game dealers to keep records**

- (1) Every licensed game dealer who sells or offers or exposes for sale, or has in his possession for sale, any venison shall—
  - (a) in accordance with the provisions of this section keep or cause to be kept a book containing records (in this section referred to as a “record book”); and
  - (b) subject to subsection (3) below, enter or cause to be entered in his record book forthwith full particulars of all his purchases and receipts of venison;
 and, subject to subsection (2) below, those records shall be in the form set out in Schedule 3 to this Act or a form substantially to the same effect.
- (2) The Secretary of State may by order vary the form in which records are required to be kept under this section.
- (3) Where a licensed game dealer has purchased or received venison from another licensed game dealer, or from a venison dealer licensed under Part IIIA of the Deer (Scotland) Act 1959, he need record in his record book only—
  - (a) that the venison was so purchased or received;
  - (b) the name and address of the other licensed game dealer or the venison dealer so licensed;
  - (c) the date when the venison was so purchased or received; and
  - (d) the total weight of the venison.
- (4) Any authorised officer, on producing, if so required, his written authority, and any constable, may inspect—
  - (a) the record book of a licensed game dealer,
  - (b) any venison in the licensed game dealer’s possession or under his control, or on premises or in vehicles under his control, and
  - (c) any invoices, consignment notes, receipts and other documents which relate to entries in the record book (including, where the originals are not available, copies),
 and may take copies of, or extracts from, the record book and any such documents.
- (5) A record book shall be kept until the end of the period of three years beginning with the day on which the last entry was made in the book, and any such documents as are mentioned in subsection (4)(c) above shall be kept until the end of the period of three years beginning with the date of the entry to which they relate.
- (6) Any licensed game dealer who, without reasonable excuse, fails to comply with the provisions of this section shall be guilty of an offence.
- (7) If any person—
  - (a) intentionally obstructs any authorised officer or constable making an inspection under this section, or
  - (b) knowingly or recklessly makes or causes to be made in a record book any entry which is false or misleading in a material particular,

he shall be guilty of an offence.

(8) A person guilty of an offence under this section shall be liable on summary conviction to a fine not exceeding level 2 on the standard scale.

(9) In this section—

“authorised officer” means any officer of the council of a district or London borough, or of the Common Council of the City of London, who is authorised by them in writing to exercise the powers conferred by this section;

“licensed game dealer” has the same meaning as in section 10 above; and

“sale” has the same meaning as in that section, and “sell” and “purchase” shall be construed accordingly.