



Deer (Scotland) Act 1996

1996 CHAPTER 58

PART II

CONSERVATION, CONTROL AND SUSTAINABLE MANAGEMENT OF DEER

[^{F1}Code of practice on deer management

Textual Amendments

F1 S. 5A and cross-heading inserted (1.1.2012) by [Wildlife and Natural Environment \(Scotland\) Act 2011](#) (asp 6), [ss. 27\(1\), 43\(1\)](#) (with [s. 41\(1\)](#)); [S.S.I. 2011/433](#), [art. 2\(1\)\(f\)](#)

5A Code of practice on deer management

- (1) SNH must draw up a code of practice for the purpose of providing practical guidance in respect of deer management.
- (2) The code of practice may, in particular—
 - (a) recommend practice for sustainable deer management;
 - (b) make provision about collaboration in deer management;
 - (c) set out examples of circumstances in which SNH may [^{F2}require a deer management plan to be prepared,] seek to secure a control agreement or make a control scheme;
 - (d) make different provision for different cases and, in particular, for different circumstances, different times of the year or different areas.
- (3) SNH must from time to time review the code of practice.
- (4) SNH may replace or revise the code of practice.
- (5) Before drawing up, replacing or revising the code, SNH must consult any person appearing to them to have an interest in the code.

Changes to legislation: There are currently no known outstanding effects for the Deer (Scotland) Act 1996, Cross Heading: Code of practice on deer management. (See end of Document for details)

- (6) SNH must submit a proposed code of practice (or a proposed replacement or revision) to the Scottish Ministers and, on receiving it, the Scottish Ministers may—
 - (a) approve it, with or without modifications; or
 - (b) reject it.
- (7) Where the Scottish Ministers reject a proposed code of practice (or a proposed replacement or revision) under subsection (6)(b) above they may either instruct SNH to submit a new code (or replacement or revision) or they may substitute a new code (or replacement or revision) of their own devising.
- (8) The first code of practice, and any replacement code of practice—
 - (a) must be laid before, and approved by resolution of, the Scottish Parliament; and
 - (b) comes into effect on such date after approval under paragraph (a) as is specified in the code.
- (9) Any revision to a code of practice must—
 - (a) be laid before the Scottish Parliament; and
 - (b) specify the date on which it is to come into effect (such date to be at least 40 days after it is so laid, disregarding any period during which the Parliament is dissolved or in recess).
- (10) The Scottish Parliament may, before such revision comes into effect, resolve that it is not to come into effect.
- (11) The Scottish Ministers must publish a code of practice (or any replacement or revision) no later than the day before the code (or replacement or revision) is to come into effect.
- (12) SNH must—
 - (a) monitor compliance with a code of practice drawn up under this section; and
 - (b) have regard to such a code in exercising its functions under this Act.]

Textual Amendments

F2 Words in s. 5A(2)(c) inserted (28.6.2016) by [Land Reform \(Scotland\) Act 2016 \(asp 18\)](#), **ss. 80(2), 130(1)** (with s. 128); [S.S.I. 2016/193](#), reg. 2(1), Sch.

[^{F3}5B] Review of compliance with code of practice on deer management

- (1) SNH must, before the expiry of the period mentioned in subsection (4), carry out a review into the extent to which the code of practice on deer management—
 - (a) is being complied with by owners and occupiers of land, and
 - (b) is effective in promoting sustainable deer management.
- (2) SNH must, following a review under subsection (1), submit a report to the Scottish Ministers—
 - (a) setting out SNH's views on the extent to which the code—
 - (i) has been complied with, and
 - (ii) has been effective in promoting sustainable deer management,
 - (b) including such recommendations as SNH consider appropriate.

Changes to legislation: There are currently no known outstanding effects for the Deer (Scotland) Act 1996, Cross Heading: Code of practice on deer management. (See end of Document for details)

- (3) The Scottish Ministers must lay before the Scottish Parliament a report submitted to them under subsection (2).
- (4) The period referred to in subsection (1) is—
- (a) the period of 3 years beginning with the day on which section 79 of the Land Reform (Scotland) Act 2016 comes into force,
 - (b) each subsequent period of 3 years beginning with the day on which the Scottish Ministers lay, under subsection (3), the report submitted to them under subsection (2).]

Textual Amendments

- F3** S. 5B inserted (28.6.2016) by Land Reform (Scotland) Act 2016 (asp 18), ss. 79(2), 130(1) (with s. 128); S.S.I. 2016/193, reg. 2(1), Sch.

Changes to legislation:

There are currently no known outstanding effects for the Deer (Scotland) Act 1996, Cross
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