

Changes to legislation: There are currently no known outstanding effects for the Deer (Scotland) Act 1996, SCHEDULE 3. (See end of Document for details)

SCHEDULES

SCHEDULE 3

PENALTIES

Enactment	Offence	Penalty	
		(a) on summary conviction	(b) on conviction on indictment
5(5)	Taking, killing or injuring deer in close season	a fine of level 4 on the standard scale for each deer in respect of which the offence is committed or 3 months imprisonment or both	
13(1)	Failure to comply with control scheme	a fine of [^{F1} £40,000] or 3 months imprisonment or both	
13(2)	Obstruction of authorised person	a fine of level 3 on the standard scale or 3 months imprisonment or both	
17(1)	Poaching	a fine of level 4 on the standard scale for each deer in respect of which the offence is committed or 3 months imprisonment or both	
17(2)	Removal of deer carcase without right or permission	a fine of level 4 on the standard scale for each deer carcase in respect of which the offence is committed or 3 months imprisonment or both	
[^{F2} 17(3)]	[^{F2} Killing or injuring deer otherwise than by shooting]	[^{F3} a fine of £40,000 for each deer in respect of which the offence is committed or 12 months imprisonment or both]	[^{F4} a fine or imprisonment for a term of 5 years or both]
[^{F5} 17A(4)]	[^{F5} Shooting deer when not registered or supervised]	[^{F5} a fine of level 4 on the standard scale for each deer in respect of which the offence is committed or 3 months imprisonment or both]	
[^{F6} 17A(6)(a) or (b)]	Failure to submit cull return or making false or misleading cull return	a fine of level 3 on the standard scale or 3 months imprisonment or both	
[^{F7} 17A(6)(aa)]	Failure to submit cull return	a fine of level 3 on the standard scale]	

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18(1)	Taking or killing at night	a fine of level 4 on the standard scale for each deer in respect of which the offence is committed or 3 months imprisonment or both
19(1)	Use of vehicle to drive deer	a fine of level 4 on the standard scale or 3 months imprisonment or both
20(1)	Offences connected with use of vehicles and aircraft	a fine of level 4 on the standard scale for each deer in respect of which the offence is committed or 3 months imprisonment or both
21(3) F8	[F9Breach of firearms order]	a fine of level 4 on the standard scale for each deer in respect of which the offence is committed or 3 months imprisonment or both
...		
[F1021(5)]	[F10Firearms and ammunition: wilfully injuring deer]	[F10a fine of £40,000 for each deer in respect of which the offence is committed or 12 months imprisonment or both] [F10a fine or imprisonment for a term of 5 years or both]
22	Unlawful killing, taking or injuring of deer or breach of firearms order by more than one person	[F11a fine of £40,000 in respect of each deer killed, taken or injured or 12 months imprisonment or both] a fine or imprisonment for a term [F12of 5] years or both
23(1)	Illegal possession of deer or firearms	a fine of level 4 on the standard scale or 3 months imprisonment or both
24(a)	Attempting to commit certain offences	the same penalty as may be imposed in respect of the offence attempted.
24(b)	Acts preparatory to the commission of certain offences	the same penalty as may be imposed for the offence, subject to a maximum of a fine not exceeding level 4 on the standard scale or 3 months imprisonment or both
31(3)(c)	Failure to surrender cancelled firearm or shotgun certificate.	a fine of level 2 on the standard scale.
36(1)	Unauthorised sale etc. of venison	a fine of level 3 on the standard scale
36(4)	Sale etc. of unlawfully killed deer	a fine of level 4 on the standard scale or 3 months imprisonment or both
36(5)	Failure to comply with section 34	a fine of level 2 on the standard scale
36(6)	Obstruction of person carrying out inspection under section 34	a fine of level 3 on the standard scale

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40(4)	Failure to make, or making false, return of number of deer killed.	a fine of level 3 on the standard scale or 3 months imprisonment or both.
[^{F13} 40A(3)]	Failure to make return of number of deer planned to be killed.	a fine of level 3 on the standard scale.]

Textual Amendments

- F1** Words in Sch. 3 substituted (28.6.2016) by Land Reform (Scotland) Act 2016 (asp 18), **ss. 82**, 130(1) (with s. 128); S.S.I. 2016/193, reg. 2(1), Sch.
- F2** Entry in Sch. 3 inserted (29.11.2004) by Nature Conservation (Scotland) Act 2004 (asp 6), s. 59(2), **Sch. 7 para. 11** (with s. 55(2)); S.S.I. 2004/495, art. 2
- F3** Words in Sch. 3 substituted (30.11.2020) by Animals and Wildlife (Penalties, Protections and Powers) (Scotland) Act 2020 (asp 14), **ss. 10(a)(i)**, 22(2); S.S.I. 2020/379, reg. 2(1), sch. (with reg. 3)
- F4** Words in Sch. 3 inserted (30.11.2020) by Animals and Wildlife (Penalties, Protections and Powers) (Scotland) Act 2020 (asp 14), **ss. 10(a)(ii)**, 22(2); S.S.I. 2020/379, reg. 2(1), sch. (with reg. 3)
- F5** Entries in Sch. 3 inserted (1.1.2012) by Wildlife and Natural Environment (Scotland) Act 2011 (asp 6), **ss. 30(9)**, 43(1) (with s. 41(1)); S.S.I. 2011/433, art. 2(1)(f)
- F6** Words in Sch. 3 substituted (28.6.2016) by Land Reform (Scotland) Act 2016 (asp 18), **ss. 81(5)(a)**, 130(1) (with s. 128); S.S.I. 2016/193, reg. 2(1), Sch.
- F7** Entry in Sch. 3 inserted (28.6.2016) by Land Reform (Scotland) Act 2016 (asp 18), **ss. 81(5)(b)**, 130(1) (with s. 128); S.S.I. 2016/193, reg. 2(1), Sch.
- F8** Word in Sch. 3 repealed (30.11.2020) by Animals and Wildlife (Penalties, Protections and Powers) (Scotland) Act 2020 (asp 14), **ss. 10(b)(i)**, 22(2); S.S.I. 2020/379, reg. 2(1), sch. (with reg. 3)
- F9** Words in Sch. 3 substituted (30.11.2020) by Animals and Wildlife (Penalties, Protections and Powers) (Scotland) Act 2020 (asp 14), **ss. 10(b)(ii)**, 22(2); S.S.I. 2020/379, reg. 2(1), sch. (with reg. 3)
- F10** Words in Sch. 3 inserted (30.11.2020) by Animals and Wildlife (Penalties, Protections and Powers) (Scotland) Act 2020 (asp 14), **ss. 10(c)**, 22(2); S.S.I. 2020/379, reg. 2(1), sch. (with reg. 3)
- F11** Words in Sch. 3 substituted (30.11.2020) by Animals and Wildlife (Penalties, Protections and Powers) (Scotland) Act 2020 (asp 14), **ss. 10(d)(i)**, 22(2); S.S.I. 2020/379, reg. 2(1), sch. (with reg. 3)
- F12** Words in Sch. 3 substituted (30.11.2020) by Animals and Wildlife (Penalties, Protections and Powers) (Scotland) Act 2020 (asp 14), **ss. 10(d)(ii)**, 22(2); S.S.I. 2020/379, reg. 2(1), sch. (with reg. 3)
- F13** Entry in Sch. 3 inserted (28.6.2016) by Land Reform (Scotland) Act 2016 (asp 18), **ss. 81(5)(c)**, 130(1) (with s. 128); S.S.I. 2016/193, reg. 2(1), Sch.

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