



Deer (Scotland) Act 1996

1996 CHAPTER 58

PART IV

ENFORCEMENT, LICENSING OF VENISON DEALING AND MISCELLANEOUS PROVISIONS

Further powers of [F1SNH]

40 ^{X1}**Power of Commission to require return of number of deer killed.**

- (1) [F1SNH] may, for the purposes of any of [F2its deer] functions, by notice served on the owner or occupier of any land require him to make a return, in such form as [F1SNH] may require, showing the number of deer of each species and of each sex which to his knowledge have been taken or killed on the land.
- (2) A notice served under subsection (1) above shall—
 - (a) be in writing;
 - (b) specify a period, immediately preceding the date of service of the notice, for which the return must be completed.

[F3(2A) For the purposes of subsection (2) above, a notice may be by electronic communication (as defined in section 15(1) of the Electronic Communications Act 2000 (c. 7)), which has been recorded and is consequently capable of being reproduced.

- (2B) A notice may be served on a person by such an electronic communication only if—
- (a) the person consents in writing to the receipt of a notice of the kind in question from the sender by electronic communication sent to a specified number or address, and
 - (b) the communication is sent to the number or address in question.]

- (3) A period specified by virtue of subsection (2)(b) above shall not exceed five years.
- (4) Any person on whom a notice under subsection (1) above has been served who—
 - (a) fails without reasonable cause to make the required return within thirty-six days after the service of the notice; or

Changes to legislation: There are currently no known outstanding effects for the Deer (Scotland) Act 1996, Section 40. (See end of Document for details)

(b) in making the return knowingly or recklessly furnishes any information which is false in a material particular,
shall be guilty of an offence.

Editorial Information

X1 S. 40: sidenote no longer accurate following the amendments made to this Act by [Public Services Reform \(Scotland\) Act 2010 \(asp 8\)](#), s. 1, **Sch. 1 paras. 5-27**

Textual Amendments

F1 Word in Act substituted (1.8.2010) by [Public Services Reform \(Scotland\) Act 2010 \(asp 8\)](#), s. 134(7), **Sch. 1 para. 6**; S.S.I. 2010/221, art. 3(2), Sch.

F2 Words in s. 40(1) substituted (1.8.2010) by [Public Services Reform \(Scotland\) Act 2010 \(asp 8\)](#), s. 134(7), **Sch. 1 para. 24**; S.S.I. 2010/221, art. 3(2), Sch.

F3 S. 40(2A)(2B) inserted (23.6.2006) by [Electronic Communications \(Scotland\) Order 2006 \(S.S.I. 2006/367\)](#), arts. 1(1), **3(8)**

Changes to legislation:

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