

HUNTING ACT 2004

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 1: Offences

Section 1: Hunting wild mammals with dogs

5. *Section 1* makes it an offence for a person to hunt a wild mammal with a dog unless the hunting is exempt.

Section 2: Exempt hunting

6. *Subsection (1)* provides that the classes of hunting which are exempt from the offence in *section 1* are specified in *Schedule 1*. *Subsection (2)* confers a power on the Secretary of State to vary a class of exempt hunting by order, which under *section 14* may not be made unless a draft has been approved by a resolution of each House of Parliament.

Section 3: Hunting: assistance

7. *Section 3* makes it an offence for a person knowingly to permit land which belongs to him to be entered or used, or to permit a dog which belongs to him to be used, in the commission of an offence under *section 1*.

Section 4: Hunting: defence

8. *Section 4* provides that it is a defence for a person charged with an offence under *section 1* to show that he reasonably believed that the hunting concerned was exempt under *section 2*.

Section 5: Hare coursing

9. *Section 5* prohibits hare coursing events. *Subsection (1)* makes it an offence for a person to participate in, attend or knowingly facilitate a hare coursing event or to permit land which belongs to him to be used for a hare coursing event. Under *subsection (2)* when a dog participates in a hare coursing event an offence is committed by any person who enters the dog for the event, who permits the dog to be entered for the event or who controls or handles the dog in the course of or for the purposes of the event.