
Changes to legislation: There are currently no known outstanding effects for the Hunting Act 2004, Cross Heading: Stalking and flushing out. (See end of Document for details)

SCHEDULES

SCHEDULE 1

EXEMPT HUNTING

Stalking and flushing out

- 1 (1) Stalking a wild mammal, or flushing it out of cover, is exempt hunting if the conditions in this paragraph are satisfied.
- (2) The first condition is that the stalking or flushing out is undertaken for the purpose of—
- (a) preventing or reducing serious damage which the wild mammal would otherwise cause—
 - (i) to livestock,
 - (ii) to game birds or wild birds (within the meaning of section 27 of the Wildlife and Countryside Act 1981 (c. 69)),
 - (iii) to food for livestock,
 - (iv) to crops (including vegetables and fruit),
 - (v) to growing timber,
 - (vi) to fisheries,
 - (vii) to other property, or
 - (viii) to the biological diversity of an area (within the meaning of the United Nations Environmental Programme Convention on Biological Diversity of 1992),
 - (b) obtaining meat to be used for human or animal consumption, or
 - (c) participation in a field trial.
- (3) In subparagraph (2)(c) “field trial” means a competition (other than a hare coursing event within the meaning of section 5) in which dogs—
- (a) flush animals out of cover or retrieve animals that have been shot (or both), and
 - (b) are assessed as to their likely usefulness in connection with shooting.
- (4) The second condition is that the stalking or flushing out takes place on land—
- (a) which belongs to the person doing the stalking or flushing out, or
 - (b) which he has been given permission to use for the purpose by the occupier or, in the case of unoccupied land, by a person to whom it belongs.
- (5) The third condition is that the stalking or flushing out does not involve the use of more than two dogs.
- (6) The fourth condition is that the stalking or flushing out does not involve the use of a dog below ground otherwise than in accordance with paragraph 2 below.
- (7) The fifth condition is that—

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- (a) reasonable steps are taken for the purpose of ensuring that as soon as possible after being found or flushed out the wild mammal is shot dead by a competent person, and
- (b) in particular, each dog used in the stalking or flushing out is kept under sufficiently close control to ensure that it does not prevent or obstruct achievement of the objective in paragraph (a).

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