



Scottish Natural Heritage
Dualchas Nàdair na h-Alba

All of nature for all of Scotland
Nàdar air fad airson Alba air fad

DEER (SCOTLAND) ACT 1996

General Authorisation under Section 5(6) (a) for the taking or killing of deer during close season.

We, Scottish Natural Heritage (SNH), in exercise of the powers conferred by Section 5(6) (a) of the Deer (Scotland) Act 1996 (as amended), being satisfied:

- 1 (a)** that the taking or killing of deer is necessary:-
- (i)** to prevent damage to any crops, pasture or human or animal foodstuffs on any agricultural land which forms part of that land; or
 - (ii)** to prevent damage to any enclosed woodland which forms part of that land;
- and,
- (b)** that no other means of control which might reasonably be adopted in the circumstances would be adequate,

hereby authorise:

- 2(a)** the occupier suffering damage to those interests outlined in subsection 1(a) above and;

if duly authorised in writing by the occupier suffering damage for the purpose, any or all of;

- (b)** the owner in person;
- (c)** the owner's employees;
- (d)** the occupier's employees, or any other person normally resident, on the land;
- (e)** any other person approved in writing by SNH as a fit and competent person for the purpose

to take or kill:

- 3(a)** Male deer and juveniles (up to 12months old) of any species, during the period of any statutory close season; and/or
- (b)** Female deer of any species during the period of any statutory close season, but not including the period 1st April to 31st August;

Only during daylight hours, as may be necessary to prevent damage to the aforementioned interests on:-

- 4(a)** arable land, improved permanent pasture (other than moorland) and land which has been regenerated so as to be able to make a significant contribution to the productivity of a holding which forms part of that agricultural land; or
- (b)** enclosed woodland

This general authorisation will remain in force from 01-04-2017 until 31-03-2018.

FEMALE DEER OVER 12 MONTHS OLD MAY NOT BE KILLED under this general authorisation during the period 1st April to 31st August.

This authorisation will remain in force until the expiry date, or the authorised person ceases to be so authorised and is subject to the following conditions: -

1. No person convicted on or after 18 November 1996 of an offence under the Deer (Scotland) Act 1996 (as amended) may use this authorisation unless, in respect of that offence, either (1) they were dismissed with an admonition, or (2) they are a rehabilitated person for the purposes of the Rehabilitation of Offenders Act 1974 and their conviction is treated as spent. A person may also use this authorisation where, in respect of such an offence, a court has made an order discharging them absolutely. Such a person may apply for a specific authorisation from Scottish Natural Heritage.
2. SNH may withdraw this authorisation at any time, in whole or in part.
3. The authorised person must comply with The Deer (Firearms etc.) (Scotland) Order 1985, the Deer (Scotland) Act 1996 (as amended) and Best Practice as published by the Wild Deer Best Practice Partnership and available on the Best Practice website www.bestpracticeguides.org.uk.
4. SNH reserves the right to accompany controllers operating under this authorisation.
5. Occupiers should be able to demonstrate that other appropriate means of control, including liaison with others who control deer on the land and on adjacent lands or, where appropriate, the local deer management group, have been explored before undertaking control under this authorisation.
6. The safe use of firearms is the responsibility of the nominated controller(s).
7. Occupiers must provide details of deer killed under this general authorisation to the owner of the land.



Wildlife Operations Unit, Scottish Natural Heritage

Notes:

1. This general authorisation applies only to the land types and classes of persons specified.
2. For the avoidance of doubt, this general authorisation allows for the shooting of **female deer** during the following periods (dates inclusive):
 - a. Red deer from 16 February to 31 March and 1 September to 20 October
 - b. Sika deer from 16 February to 31 March and 1 September to 20 October
 - c. Fallow deer from 16 February to 31 March and 1 September to 20 October
 - d. Red/Sika hybrids from 16 February to 31 March and 1 September to 20 October
 - e. Roe deer from 1 September to 20 October
3. Any requirement to shoot adult female deer for the prevention of damage to the classes of land specified, outwith the period of this general authorisation will require a specific authorisation from SNH.
4. Any requirement for out of season shooting to prevent damage to:
 - a. unenclosed woodland; or
 - b. the natural heritage; or
 - c. in the interests of public safety;will require a specific authorisation from SNH.
5. This general authorisation does not place any requirement on the occupier; the owner, the owner's employees, the occupier's employees, or any other person normally resident, on the land to be on the SNH Fit & Competent Register.
6. Any reference to deer means deer as specified by Section 45 of the Deer (Scotland) Act 1996 (as amended).

Definitions:

The following definitions from the Deer (Scotland) Act 1996 are of relevance:

"agricultural land" has the meaning given by the Agricultural Holdings (Scotland) Act 1991;
"enclosed" means enclosed by a stock-proof fence or other barrier, and "unenclosed" shall be construed accordingly;

"occupier" in relation to any land includes any tenant or sub-tenant, whether in actual occupation of the land or not;

"owner" in relation to any land includes any person who under the Land Clauses Acts would be enabled to sell and convey the land to promoters of an undertaking;

"woodland" means land on which trees are grown, whether or not commercially, and includes any such trees and any vegetation planted or growing naturally among such trees on that land