

*These notes relate to the Wildlife and Natural Environment (Scotland)  
Act 2011 (asp 6) which received Royal Assent on 7 April 2011*

# **WILDLIFE AND NATURAL ENVIRONMENT (SCOTLAND) ACT 2011**

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## **EXPLANATORY NOTES**

### **THE ACT – COMMENTARY ON SECTIONS**

#### **Part 2 – Wildlife under the 1981 Act**

#### **Section 14 – Non-native species etc.**

##### **Subsection (5)**

Notification of presence of invasive animals etc. - inserted section 14B of the 1981 Act

116. Section 14B of the 1981 Act enables the Scottish Ministers to require by order certain persons to notify the presence of an invasive animal or invasive plant at a place outwith the native range of the plant or animal. Notification can only be required where the Scottish Ministers consider that the person or type of person to be subject to the requirement has, or should have, knowledge of, or is likely to encounter, the specified invasive animal or plant.
117. Subsection (5) provides for it to be an offence under the 1981 Act (see section 21 of that Act for penalties) to fail without reasonable excuse to notify the presence of a plant or animal as required under the inserted section.
118. Orders made under section 14B are subject to negative procedure, for which see section 26 of the 1981 Act as modified by section 17(6) of the Act.