



# Animals and Wildlife (Penalties, Protections and Powers) (Scotland) Act 2020 2020 asp 14

## CHAPTER 1

### ANIMAL WELFARE, ANIMAL HEALTH AND WILDLIFE: OFFENCES AND PENALTIES

#### *Wildlife offences: penalties*

#### **9 Conservation (Natural Habitats, etc.) Regulations 1994: penalties for offences**

- (1) The Conservation (Natural Habitats, etc.) Regulations 1994 ([SI 1994/2716](#)) are amended as follows.
- (2) In regulation 39 (protection of certain wild animals), for paragraph (12) substitute—
  - “(12) A person guilty of an offence under this regulation is liable—
    - (a) on summary conviction, to imprisonment for a term not exceeding 12 months or a fine not exceeding £40,000 (or both),
    - (b) on conviction on indictment, to imprisonment for a term not exceeding 5 years or a fine (or both).”.
- (3) In regulation 41 (prohibition of certain methods of taking or killing wild animals), for paragraph (6) substitute—
  - “(6) A person guilty of an offence under this regulation is liable—
    - (a) on summary conviction, to imprisonment for a term not exceeding 12 months or a fine not exceeding £40,000 (or both),
    - (b) on conviction on indictment, to imprisonment for a term not exceeding 5 years or a fine (or both).”.
- (4) In regulation 102 (proceedings for offences: venue, time limits), in paragraph (2), after first “offence” insert “(other than for an offence under regulation 39 or 41)”.