



# Hunting with Dogs (Scotland) Act 2023

## 2023 asp 1

### PART 1

#### HUNTING A WILD MAMMAL USING A DOG

##### *Exceptions to the offences*

#### **10**      **Licence for use of more than two dogs in connection with [section 9](#)**

- (1) A person may apply for a licence permitting the use of more than two dogs for the activity mentioned in [section 9\(1\)\(a\)](#).
- (2) An application for a licence under [subsection \(1\)](#) must—
  - (a) be made to the relevant authority,
  - (b) be in such form as the relevant authority may require,
  - (c) contain or be accompanied by such information as the relevant authority may require, which may in particular include—
    - (i) the number of dogs for which permission is being sought,
    - (ii) the number of guns intended to be deployed,
  - (d) be accompanied by payment of such reasonable fee as the relevant authority may require.
- (3) The relevant authority must publicise any requirements which are for the time being set under [subsection \(2\)\(b\), \(c\) or \(d\)](#).
- (4) A licence under [subsection \(1\)](#)—
  - (a) may be granted to a particular person or to a category of persons,
  - (b) must relate to a particular species of wild mammal,
  - (c) must not be granted unless the relevant authority is satisfied—
    - (i) that killing, capturing or observing the wild mammal will contribute towards a significant or long-term environmental benefit, and
    - (ii) that there is no other solution which would be effective in achieving the purpose set out in [section 9\(2\)](#) in relation to which the application for a licence is being made,

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- (d) may only permit the use of the minimum number of dogs which the relevant authority is satisfied would be effective in achieving the purpose set out in [section 9\(2\)](#) in relation to which the application for a licence is being made,
  - (e) must require the deployment of the minimum number of guns which the relevant authority is satisfied would be effective for compliance with the conditions set out in [section 9\(3\)\(e\)](#) and (f) in relation to the activity for which the application for a licence is being made,
  - (f) may be subject to compliance with such conditions as the relevant authority considers appropriate, which may include, in particular, reporting requirements in relation to activities carried out under the licence,
  - (g) may be granted for a maximum period of two years, which must fall within a period of two consecutive years,
  - (h) may be modified or revoked at any time by the relevant authority.
- (5) A licence under [subsection \(1\)](#) must specify—
- (a) the person or category of persons to whom it is granted,
  - (b) the species of wild mammal to which it relates,
  - (c) the area within which the searching for, stalking or flushing of that species of wild mammal may take place under the licence,
  - (d) the maximum number of dogs which are permitted to be used,
  - (e) the minimum number of guns (if any) which are required to be deployed,
  - (f) any conditions to which the licence is subject,
  - (g) the period of time for which the licence is valid.
- (6) In this section, “relevant authority” has the same meaning as in [section 4\(6\)](#).

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**Commencement Information**

- I1** S. 10 not in force at Royal Assent, see [s. 31\(2\)](#)
- I2** [S. 10](#) in force at 3.10.2023 by [S.S.I. 2023/262](#), [reg. 2](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Hunting with Dogs (Scotland) Act 2023, Section 10.