



# Hunting with Dogs (Scotland) Act 2023

## 2023 asp 1

### PART 1

#### HUNTING A WILD MAMMAL USING A DOG

##### *Exceptions to the offences*

#### **4      Licence for use of more than two dogs in connection with [section 3](#)**

- (1) A person may apply for a licence permitting the use of more than two dogs for the activity mentioned in [section 3\(1\)\(a\)](#).
- (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 that there is no other solution which would be effective in achieving the purpose set out in [section 3\(2\)](#) in relation to which the application for a licence is being made,
  - (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 3\(2\)](#) in relation to which the application for a licence is being made,

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*Status: This is the original version (as it was originally enacted).*

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- (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 3(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 14 days, which must fall within a period of 6 consecutive months,
  - (h) may be modified or revoked by the relevant authority at any time.
- (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” means—
- (a) the Scottish Ministers, or
  - (b) where the Scottish Ministers have delegated their functions in relation to licences, Scottish Natural Heritage.