



Wildlife Management and Muirburn (Scotland) Act 2024

2024 asp 4

PART 2

MUIRBURN LICENSING

Making muirburn

19 Notice of muirburn activity

- (1) A person who intends to make muirburn must give notice in writing under [this section](#) to—
 - (a) the owner of the proposed muirburn site (if different from the person making the muirburn), and
 - (b) any occupier of land situated within 1 kilometre of the proposed muirburn site.
- (2) Notice need not be given to a person (“A”) under [this section](#) if A has given notice in writing to the person intending to make muirburn that A wishes not to be notified of any intention to make muirburn.
- (3) Where there are 10 or more occupiers of land situated within 1 kilometre of the proposed muirburn site, the person intending to make muirburn may, instead of giving notice under [subsection \(1\)\(b\)](#) to each occupier separately, notify those occupiers collectively—
 - (a) by placing a notice in at least one newspaper circulating in the area which includes the proposed muirburn site, or
 - (b) by such other method as the Scottish Ministers may specify (whether in the Muirburn Code or otherwise) having regard to the need for the cost of giving notice to be reasonable to a person who intends to make muirburn.
- (4) The Scottish Ministers must publicise any method for the time being specified (otherwise than in the Muirburn Code) for the purposes of [subsection \(3\)\(b\)](#).
- (5) Notice under [subsection \(1\)](#) must—
 - (a) be given not less than 7 days before the muirburn is made,

Status: This is the original version (as it was originally enacted).

- (b) identify the proposed muirburn site (or sites),
 - (c) inform the person to whom notice is given (“A”) that A may require the person intending to make muirburn to provide further information in relation to—
 - (i) the dates on or between which the muirburn is intended to be made,
 - (ii) the proposed muirburn site (or sites), and
 - (iii) the approximate extent of the proposed muirburn.
- (6) Where the owner of the proposed muirburn site or an occupier of land situated within 1 kilometre of the proposed muirburn site requests any of the further information mentioned in [subsection \(5\)\(c\)](#), the person intending to make the muirburn must make reasonable efforts to comply with the request no later than the end of the day before the muirburn is made.
- (7) Any notice required to be given to an owner of land under [this section](#) may be given to any person purporting to be authorised by the owner to receive the notice.
- (8) Any notice required to be given under [this section](#) may, as an alternative to being given by a method specified in section 26 of the Interpretation and Legislative Reform (Scotland) Act 2010, be given—
- (a) by leaving it at an address to which it may be sent by virtue of subsection (2) (b) of that section, or
 - (b) where the identity of an occupier cannot, after reasonable inquiry, be ascertained by—
 - (i) addressing the notice to “Any occupiers of the land” (describing it), and
 - (ii) affixing it to some conspicuous object on the land.