



Wildlife Management and Muirburn (Scotland) Act 2024

2024 asp 4

PART 2

MUIRBURN LICENSING

Muirburn licences

PROSPECTIVE

13 Application for muirburn licence

- (1) An owner or occupier of land may apply for a licence permitting muirburn to be made, for a purpose mentioned in [subsection \(2\)](#), on the land to which the application relates.
- (2) The purposes are—
 - (a) where the land to which the application relates is not peatland—
 - (i) managing the habitats of moorland game or wildlife,
 - (ii) improving the grazing potential of moorland for livestock,
 - (iii) conserving, restoring, enhancing or managing the natural environment,
 - (iv) preventing, or reducing the risk of, wildfires causing damage to habitats,
 - (v) preventing, or reducing the risk of, wildfires causing harm to people or damage to property,
 - (vi) research,
 - (b) where the land to which the application relates is peatland—
 - (i) restoring the natural environment,
 - (ii) preventing, or reducing the risk of, wildfires causing damage to habitats,
 - (iii) preventing, or reducing the risk of, wildfires causing harm to people or damage to property,

Status: This version of this provision is prospective.

Changes to legislation: There are currently no known outstanding effects for the Wildlife Management and Muirburn (Scotland) Act 2024, Section 13. (See end of Document for details)

- (iv) research.
- (3) An application under [subsection \(1\)](#)—
- (a) must be made—
 - (i) to the Scottish Ministers, and
 - (ii) in such manner and form as the Scottish Ministers may require,
 - (b) must—
 - (i) identify the land to which the application relates, specifying whether the land is or is not peatland,
 - (ii) specify for which of the purposes mentioned in [subsection \(2\)\(a\)](#) or, as the case may be, (b) muirburn is proposed to be made, and
 - (iii) include or be accompanied by such other information as the Scottish Ministers may require,
 - (c) must be accompanied by payment of such reasonable fee as the Scottish Ministers may require, and
 - (d) must include evidence that the person who will make muirburn has completed a training course approved under [section 17](#).
- (4) The Scottish Ministers must publicise any requirements which are for the time being set under [subsection \(3\)\(a\)\(ii\)](#), [\(b\)\(iii\)](#) or [\(c\)](#).
- (5) The Scottish Ministers may, by regulations, modify the lists of purposes in paragraphs [\(a\)](#) and [\(b\)](#) of [subsection \(2\)](#) so as to amend, remove or add to the purposes for the time being mentioned in those lists.
- (6) Before making regulations under [subsection \(5\)](#), the Scottish Ministers must consult—
- (a) Scottish Natural Heritage, and
 - (b) such other persons as they consider likely to be interested in or affected by the licensing of muirburn.
- (7) Regulations under [subsection \(5\)](#) are subject to the affirmative procedure.
- (8) It is an offence for a person to knowingly or recklessly make any statement which is false in any material particular for the purpose of obtaining a muirburn licence.
- (9) A person who commits an offence under [subsection \(8\)](#) is liable, on summary conviction, to imprisonment for a term not exceeding 6 months or a fine not exceeding level 5 on the standard scale (or both).

Commencement Information

II S. 13 not in force at Royal Assent, see [s. 35\(2\)](#)

Status:

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Changes to legislation:

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