

SCHEDULES

SCHEDULE 1

Section 14.

PENALTIES

<i>Enactment</i>	<i>Amendment</i>	<i>Present penalty</i>	<i>New penalty</i>
1	2	3	4
Section 5(2) (offences relating to returns of deer killed).	For the words from " twenty pounds" to " fifty pounds " substitute the words " £200 ".	(a) for a first offence, £20; (b) for a second or subsequent offence, £50 or 3 months or both.	£200 or 3 months or both.
Section 9(2) (failure to comply with requirements of control scheme).	For the words from " fifty pounds " to " one hundred pounds " substitute the words " £500 ".	(a) for a first offence, £50; (b) for a second or subsequent offence, £100 or 3 months or both.	£500 or 3 months or both.
Section 17 (obstructing an authorised person).	For the words from " fifty pounds " to " one hundred pounds " substitute the words "£200 ".	(a) for a first offence, £50; (b) for a second or subsequent offence, £100 or 3 months or both.	£200 or 3 months or both.
Section 21(5) (killing or injuring deer in close season).	For the words from " twenty pounds" to " fifty pounds " substitute the words " £500 for each deer in respect of which the offence was committed ", and at the end add the words " and to the forfeiture of any deer in respect of which the offence was committed ".	(a) for a first offence, £20; (b) for a second or subsequent offence, £50 or 3 months or both.	£500 per deer or 3 months or both, and forfeiture of deer.

Status: This is the original version (as it was originally enacted).

<i>Enactment</i>	<i>Amendment</i>	<i>Present penalty</i>	<i>New penalty</i>
1	2	3	4
Section 22 (poaching).	For the words " twenty pounds " substitute the words " £500 for each deer in respect of which the offence was committed or to imprisonment for a term not exceeding three months, or to both ", and after the word " illegally " insert the words " taken or ".	£20 and forfeiture of deer.	£500 per deer or 3 months or both, and forfeiture of deer.
Section 23(3) (unlawful taking, killing or injuring of deer).	For the words from " twenty pounds" to " fifty pounds " substitute the words " £500 for each deer in respect of which the offence was committed ", and at the end add " and to the forfeiture of any deer illegally taken or killed by him or in his possession at the time of the offence ".	(a) for a first offence, £20; (b) for a second or subsequent offence, £50 or 3 months or both.	£500 per deer or 3 months or both, and forfeiture of deer.
Section 24 (unlawful taking, killing or injuring of deer, or breach of firearms order, by 2 or more persons).	In paragraph (a), for the words from " fifty pounds " to " one hundred pounds " substitute the words "in respect of each deer taken or killed the statutory maximum, which in this section means the prescribed sum within the meaning of section 289B(6) of the Criminal Procedure (Scotland) Act 1975 ". In paragraph (b), delete the words " not exceeding five hundred pounds ".	On summary conviction— (a) for a first offence, £50 or 3 months; (b) for a second or subsequent offence, £100 or 6 months or both. On conviction on indictment, £500 or 2 years or both.	On summary conviction in respect of each deer taken or killed " the statutory maximum " (presently £1,000) or 6 months or both, and forfeiture of deer. On conviction on indictment, an unlimited fine or 2

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<i>Enactment</i>	<i>Amendment</i>	<i>Present penalty</i>	<i>New penalty</i>
1	2	3	4
Section 26 (attempts to commit offences).	At the end of the section, add the words " and on any conviction to the forfeiture of any deer illegally taken or killed by him or in his possession at the time of the offence ". At the end of the section, add the words " ; except that in the case of preparatory acts, the penalty shall be a fine not exceeding £500 or imprisonment for a term not exceeding three months or both. ".	As for offence.	years or both, and forfeiture of deer. As for offence, except for preparatory acts, where it is £500 or 3 months or both.

SCHEDULE 2

Section 15.

MINOR AND CONSEQUENTIAL AMENDMENTS

Deer (Scotland) Act 1959 (c. 40)

1 After section 28 of the Deer (Scotland) Act 1959 there shall be inserted the following new section—

“28A Cancellation of firearms certificates.

- (1) In any case where a person is convicted of an offence provided for by any of sections 22 to 25 of this Act the court shall have power (in addition to any other power) to cancel any firearm or shotgun certificate held by him.
- (2) Where the court cancels a firearm or shotgun certificate under subsection (1) above—
 - (a) the court shall cause notice in writing of that fact to be sent to the chief constable by whom the certificate was granted; and
 - (b) the chief constable shall by notice in writing require the holder of the certificate to surrender it; and
 - (c) if the holder fails to surrender the certificate within twenty-one days from the date of that requirement, he shall be guilty of an offence and liable on summary conviction to a fine not exceeding £50.”.

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- 2 In section 27(1) of the said Act of 1959, for the words " in pursuance of " there shall be substituted the words " on conviction of an offence under ".
- 3 In section 35(1) of the said Act of 1959, at the beginning there shall be inserted the words " Subject to section 23A(4) of this Act, ".

Deer Act 1980 (c. 49)

- 4 In section 3(3) of the Deer Act 1980, after the word " 1968 " insert the words " or licensed under Part IIIA of the Deer (Scotland) Act 1959 ".

SCHEDULE 3

Section 15.

REPEALS

Column 1	Column 2	Column 3
1948 c. 45.	Agriculture (Scotland) Act 1948.	Sections 39 to 42 so far as relating to sika deer within the meaning of the Deer (Amendment) (Scotland) Act 1982 or to any hybrid mentioned in section 1(4) of that Act.
1959 c. 40.	Deer (Scotland) Act 1959.	Section 43(1). In section 4(a) the words " in the interests of conservation " ". In section 12, the word " such " ". Section 23(4). In section 24(b), the words " not exceeding five hundred pounds " ".
1968 c. 38.	Sale of Venison (Scotland) Act 1968.	Section 29. The whole Act.