

---

## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations, which extend to Scotland only, prohibit the use of lead shot for shooting with a shot gun on or over wetlands (regulation 4). Regulation 2 contains definitions of terms referred to in the Regulations.

Regulation 3 defines “wetlands” by reference to Article 1(1) of the Ramsar Convention (the Convention on Wetlands of International Importance especially as Waterfowl Habitat signed at Ramsar on 2nd February 1971), with further explanation of the terms “peatland” and “temporary” wetlands for the purposes of the Regulations. Article 1(1) states:

*“For the purposes of this Convention wetlands are areas of marsh, fen, peatland or water, whether natural or artificial, permanent or temporary, with water that is static or flowing, fresh, brackish or salt, including areas of marine water the depth of which at low tide does not exceed six metres.”*

The Ramsar Convention provides a detailed “Classification System for Wetland Types” which provides further guidance as to what constitutes a wetland. A copy of the Convention and the Classification System is available at [http://www.ramsar.org/key\\_conv\\_e.htm](http://www.ramsar.org/key_conv_e.htm).

Regulation 5 creates the offence of contravention, or causing or permitting the contravention of regulation 4. It makes that offence punishable summarily with a fine not exceeding level 3 on the standard scale.

Regulation 6 provides for offences which are committed by bodies corporate, partnerships and unincorporated associations and extends those offences to persons in control of such bodies in certain circumstances.

Regulation 7 revokes the Environmental Protection (Restriction on Use of Lead Shot) (Scotland) Regulations 2004, which these Regulations replace.

A Regulatory Impact Assessment has been prepared in connection with these Regulations. A copy may be obtained from Wildlife and Habitats Division, the Scottish Executive, Victoria Quay, Leith, EH6 6QQ. Copies have also been placed in the Scottish Parliament Information Centre, George IV Bridge, Edinburgh.