

## **EXECUTIVE NOTE**

### **THE DEER (CLOSE SEASONS) (SCOTLAND) ORDER 2011**

**S.S.I 2011/417**

#### **Policy Objectives**

1. The Deer (Scotland) Act 1996, as amended by the Wildlife and Natural Environment (Scotland) Act 2011 (WANE), requires Ministers to set a close season for female deer and enables them to set a close season for male deer. Due to the interaction of the two Acts it is necessary to provide legal certainty by making a new close seasons Order. The periods specified as close seasons are unchanged. Therefore, this is a technical measure which will give continued legal effect to the same policy.

2. This Order will revoke the Deer (Close Season) Scotland Order 1984 and come into force on 1 January 2012, to coincide with the commencement of the majority of the deer provisions in the WANE Act. The exception to this is section 29 of the WANE Act which amends the occupiers' exemptions to kill deer in the close season, in order to prevent serious damage to agriculture or forestry. These changes will be commenced from 1 April 2012 and until these changes are introduced the current occupiers' exemptions for taking or killing deer in the close season will remain.

#### **Consultation**

3. No formal consultation was carried out as there is no change to the legal effect of the close seasons. Stakeholders will be advised in writing and updated at future meetings.

#### **Financial Effects**

4. There is no change to the close seasons and so the Order will have no financial effects. Therefore, no Business Regulatory Impact Assessment (BRIA) has been prepared.

#### **Equalities impact assessment**

5. There are no equality impact issues.

Scottish Government Rural and Environment Directorate  
November 2011