

EXECUTIVE NOTE

THE WILDLIFE AND COUNTRYSIDE ACT 1981 (KEEPING AND RELEASE AND NOTIFICATION REQUIREMENTS) (SCOTLAND) AMENDMENT ORDER 2012

SSI 2012/206

1. The above instrument is made in exercise of the powers conferred by section 14(1)(a)(ii), (2D)(a) and (e), 14ZC(1)(a) and (2)(a) of the Wildlife and Countryside Act 1981 (1981 Act).
2. The instrument is subject to negative procedure.

Policy Objectives

3. The purpose of the Order is to amend The Wildlife and Countryside Act 1981 (Keeping and Release and Notification Requirements) (Scotland) Order 2012 (the principal Order) in response to questions raised by the Scottish Parliament's Subordinate Legislation Committee. The principal Order maintained existing restrictions on the keeping and release of certain specified species and maintained the requirement to report the presence of certain specified species. This Order does not change the effect of the principal Order.

Changes applied by this instrument

4. Some typographical errors in Parts 1 and 2 of Schedule 1 to the principal Order are corrected.
5. The nomenclature for the species listed in Part 2 of Schedule 1 to the principal Order has been updated.
6. The references to "Latin name" in articles 2 and 3 and in the heading in column (2) of the table in Parts 1 and 2 of the Schedule to the principal Order have been amended to refer to "Scientific name".

Consultation

7. In exercising their powers under sections 14(1)(a)(ii), (2D)(a) and (e) (release), and 14ZC(1)(a) and (2)(a) (keeping) Ministers are required to consult Scottish Natural Heritage, and any other person appearing to them to have an interest in accordance with section 26(4A) of the 1981 Act (as inserted by section 17(6)(c) of the Wildlife and Natural Environment (Scotland) Act 2011).
8. In making this instrument Ministers have consulted with SNH. No other persons were judged to have an interest as the instrument merely amends the form of the principal Order and does not change its effect.

Equalities Impact Assessments

9. There are no equalities impact issues.

Financial Effects

10. A Regulatory Impact Assessment was included in the consultation for the 2011 Act. The restrictions and requirements in this Order are maintaining the status quo (following repeals) therefore there are no financial effects anticipated.

Directorate for Environment and Forestry
June 2012