



# Deer (Amendment) (Scotland) Act 1996

## 1996 CHAPTER 44

### **1 Constitution, functions and membership of Deer Commission for Scotland**

(1) With effect from the coming into force of this section—

- (a) the name of the Red Deer Commission shall be changed to the “Deer Commission for Scotland”; and
- (b) certain changes shall be made to the functions of the Commission,

and, accordingly, for subsection (1) of section 1 (general functions of the Commission) of the Deer (Scotland) Act 1959 (in this Act referred to as “the principal Act”) there shall be substituted—

“(1) There shall be constituted a commission to be known as “the Deer Commission for Scotland” (in this Act referred to as “the Commission”) which shall—

- (a) in accordance with the provisions of this Act, further the conservation, control and sustainable management of deer in Scotland and keep under review all matters, including their welfare, relating to deer; and
- (b) exercise such other functions as are conferred on them by or under this Act or any other enactment.

(1A) It shall be the duty of the Commission, in exercising their functions, to take such account as may be appropriate in the circumstances of—

- (a) the size and density of the deer population and its impact on the natural heritage;
- (b) the needs of agriculture and forestry; and
- (c) the interests of owners and occupiers of land.”.

(2) In subsection (3) of that section—

- (a) after the words “The Commission shall” there shall be inserted the words “be appointed by the Secretary of State and”; and
- (b) for the words from “twelve” to “subsection” there shall be substituted the words “such number of other members, being not less than nine nor more than twelve in total, as the Secretary of State considers appropriate to represent the interests of persons or organisations concerned with each of the matters

mentioned in paragraph (a) of subsection (3A) below; and subsections (3A) and (3B) below”.

(3) After subsection (3) there shall be inserted the following subsections—

“(3A) Subject to subsection (3) above and to subsection (3B) below, the Secretary of State may appoint any person who appears to him—

(a) to have knowledge or experience of one or more of the following matters—

- (i) deer management;
- (ii) agriculture (including crofting)
- (iii) forestry and woodland management; and
- (iv) the natural heritage,

in so far as that matter may be affected by the Commission’s exercise of their functions; and

(b) generally, to be an appropriate person,

to be a member of the Commission; and, subject to subsection (3B)(c) below, of the persons so appointed, at least one third shall be persons having knowledge or experience of deer management.

(3B) Before making an appointment under subsection (3A) above, the Secretary of State shall—

- (a) afford to such organisations as appear to him to represent the interests of persons concerned with the matters mentioned in subsection (3A) above an opportunity to suggest the name of any person who would in their view be an appropriate person for such an appointment;
- (b) consider any such suggestions; and
- (c) where names have been suggested by organisations representing the interests of deer managers, select the one third of the Commission referred to in subsection (3A) above from among those names.”.

(4) Subsections (4) and (5) of that section shall cease to have effect.