

Status: Point in time view as at 01/01/2012.

Changes to legislation: There are currently no known outstanding effects for the Deer (Scotland) Act 1996, Part I. (See end of Document for details)

SCHEDULES

SCHEDULE 2

PROVISIONS AS TO CONTROL SCHEMES

PART I

PROCEDURE FOR MAKING CONTROL SCHEMES

- 1 Where [^{F1}SNH][^{F2}decides] to make a control scheme [^{F3}it] shall—
- (a) serve on every owner and every occupier of land on whom the scheme proposes to impose any requirement—
 - (i) a copy of the said scheme, together with
 - (ii) a notice stating that any such owner or occupier may, within twenty-eight days of the service of the notice, object to the Secretary of State in such manner as may be specified in the notice to the scheme or to any provision contained in it; and
 - (b) publish in [^{F4}such manner as SNH thinks fit] a notice—
 - (i) stating that a control scheme has been prepared,
 - (ii) describing the control area,
 - (iii) naming a place ^{F5}... where a copy of the control scheme and of the map referred to in it may be inspected at all reasonable hours, and
 - (iv) stating that any person may, within twenty-eight days of the first publication of such notice, object to the Secretary of State in such a manner as may be specified in the notice to the control scheme or to any provision contained in it.

Textual Amendments

- F1** Word in Act substituted (1.8.2010) by [Public Services Reform \(Scotland\) Act 2010 \(asp 8\)](#), s. 134(7), [Sch. 1 para. 6](#); S.S.I. 2010/221, art. 3(2), Sch.
- F2** Word in Sch. 2 para. 1 substituted (1.8.2010) by [Public Services Reform \(Scotland\) Act 2010 \(asp 8\)](#), s. 134(7), [Sch. 1 para. 27\(a\)](#); S.S.I. 2010/221, art. 3(2), Sch.
- F3** Word in Sch. 2 para. 1 substituted (1.8.2010) by [Public Services Reform \(Scotland\) Act 2010 \(asp 8\)](#), s. 134(7), [Sch. 1 para. 27\(b\)](#); S.S.I. 2010/221, art. 3(2), Sch.
- F4** Words in Sch. 2 para. 1(b) substituted (1.1.2012) by [Wildlife and Natural Environment \(Scotland\) Act 2011 \(asp 6\)](#), [ss. 28\(6\)\(a\)\(i\)](#), 43(1) (with s. 41(1)); S.S.I. 2011/433, art. 2(1)(f)
- F5** Words in Sch. 2 para. 1(b)(iii) repealed (1.1.2012) by [Wildlife and Natural Environment \(Scotland\) Act 2011 \(asp 6\)](#), [ss. 28\(6\)\(a\)\(ii\)](#), 43(1) (with s. 41(1)); S.S.I. 2011/433, art. 2(1)(f)

- 2 If no objection is duly made under paragraph 1 above or if all objections so made are withdrawn, the Secretary of State may confirm the control scheme either in the form submitted to him or, subject to paragraph 4 below, with modifications.

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- 3 If any objection duly made under paragraph 1 above is not withdrawn, the Secretary of State [^{F6}—
- (a) must consider the objection, and
 - (b) may] confirm the scheme either in the form submitted to him or, subject to paragraph 4 below, with modifications.

Textual Amendments

F6 Words in Sch. 2 para. 3 substituted (1.1.2012) by [Wildlife and Natural Environment \(Scotland\) Act 2011](#) (asp 6), **ss. 28(6)(b)**, 43(1) (with s. 41(1)); S.S.I. 2011/433, art. 2(1)(f)

- 4 A control scheme shall not be confirmed with any modification unless ^{F7}...—
- (a) every—
 - (i) person served with a copy of the scheme by virtue of paragraph 1 above has been served with notice of the proposal to make the modification, and
 - (ii) other person on whom the modification, if made, would impose a requirement, has been served with a notice of the proposal to make the modification along with a copy of the said scheme,
 and either has consented to it or has not, before the expiry of fourteen days from the service of the notice, notified the Secretary of State in writing that he objects to it ^{F8}...
 - ^{F8}(b)

Textual Amendments

F7 Word in Sch. 2 para. 4 repealed (1.1.2012) by [Wildlife and Natural Environment \(Scotland\) Act 2011](#) (asp 6), **ss. 28(6)(c)(i)**, 43(1) (with s. 41(1)); S.S.I. 2011/433, art. 2(1)(f)

F8 Sch. 2 para. 4(b) and preceding word repealed (1.1.2012) by [Wildlife and Natural Environment \(Scotland\) Act 2011](#) (asp 6), **ss. 28(6)(c)(ii)**, 43(1) (with s. 41(1)); S.S.I. 2011/433, art. 2(1)(f)

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