



# Deer (Scotland) Act 1996

## 1996 CHAPTER 58

### PART II

#### CONSERVATION, CONTROL AND SUSTAINABLE MANAGEMENT OF DEER

##### *Control agreements and control schemes*

#### **9 Recovery of expenses incurred in fulfilment of control scheme**

- (1) Where any expenses incurred by the Commission in the performance of their duty under section 8(8) of this Act exceed the amount of the proceeds of the sale of any deer killed or taken in pursuance of that performance, the excess shall be recoverable by them from the owner or occupier concerned.
- (2) The Commission shall furnish to any owner or occupier concerned a statement showing—
  - (a) the expenses incurred in the performance of their duty under the said section 8(8);
  - (b) the amount received in respect of the sale of deer; and
  - (c) the amount recoverable from any owner or occupier under this section.
- (3) Any owner or occupier who is aggrieved by a statement under subsection (2) above may, within one month of the statement having been furnished to him, appeal to the Scottish Land Court.
- (4) On an appeal under subsection (3) above, the Scottish Land Court may, if it appears to them to be equitable to do so, vary the amount recoverable from the appellant.
- (5) Subject to the approval of the Secretary of State, the Commission may, in any particular case, waive their right to any expenses recoverable under this section.