

*These notes refer to the Hunting Act 2004 (c.37)  
which received Royal Assent on 18th November 2004*

# HUNTING ACT 2004

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## EXPLANATORY NOTES

### SCHEDULES

#### *Schedule 1: Exempt hunting*

##### **Recapture of a wild mammal**

37. *Paragraph 7* provides that dogs may be used to recapture a wild mammal which has escaped or been released from captivity or confinement if three conditions are satisfied.
38. The first condition in *sub-paragraph (2)* is that the hunting takes place on land which belongs to the person hunting or which he has been given permission to use for that purpose by the occupier or, in the case of unoccupied land, by a person to whom it belongs, or with the authority of a constable.
39. The second condition in *sub-paragraph (3)* is that reasonable steps are taken to ensure that as soon as possible after being found the wild mammal is recaptured or shot dead by a competent person. Each dog used must be kept under sufficiently close control to ensure that it does not prevent or obstruct this.
40. The third condition in *sub-paragraph (4)* is that the wild mammal was not released or permitted to escape for the purpose of being hunted.