



Protection of Animals (Scotland) Act 1912

1912 CHAPTER 14 2 and 3 Geo 5

7 Poisoned grain and flesh, &c.

If any person—

- (a) shall sell, or offer or expose for sale, or give away, or cause or procure any person to sell or offer or expose for sale or give away, or knowingly be a party to the sale or offering or exposing for sale or giving away of any grain or seed which has been rendered poisonous except for bonâ fide use in agriculture; or
- (b) shall knowingly put or place, or cause or procure any person to put or place, or knowingly be a party to the putting or placing, in or upon any land or building any poison, or any fluid or edible matter (not being sown seed or grain) which has been rendered poisonous;

such person shall, upon summary conviction, be liable to a fine not exceeding [^{F1}level 4 on the standard scale]:

Provided that, in any proceedings under paragraph (b) of this section, it shall be a defence that the poison was placed by the accused for the purpose of destroying vermin, where such is found to be necessary in the interests of the public health, agriculture, or the preservation of other animals, domestic or wild, or for the purpose of manuring the land, and that he took all reasonable precautions to prevent access thereto of dogs, cats, fowls, or other domestic animals.

Textual Amendments

- F1** Words substituted by virtue of [Criminal Procedure \(Scotland\) Act 1975 \(c. 21, SIF 39:1\)](#), [Sch. 7D](#), [para. 4](#) and [Law Reform \(Miscellaneous Provisions\) \(Scotland\) Act 1985 \(c. 73, SIF 39:1\)](#), [Sch. 2 para. 25](#); and it is provided by [1995 c. 40, s. 3, Sch. 1 para. 10](#), [Sch. 2 Pt. III](#) that the penalty of “ten pounds” be substituted (1.4.1996) by “Level 4 on the standard scale”.

Modifications etc. (not altering text)

- C1** [S. 7](#) excluded by [Animals \(Cruel Poisons\) Act 1962 \(c. 26\)](#), [s. 1](#)
- C2** [S. 7](#) referred to (1.7.2005) by [Plant Protection Products \(Scotland\) Regulations 2005 \(S.S.I. 2005/331\)](#), [regs. 1\(1\), 22\(7\)](#) (with [Sch. 4](#))
- C3** [S. 7\(b\)](#) restricted by [Agriculture \(Miscellaneous Provisions\) Act 1972 \(c. 62\)](#), [s. 19\(2\)](#)
- C4** [S. 7 \(b\)](#) excluded by [Wildlife and Countryside Act 1981 \(c. 69, SIF 4:5\)](#), [s. 16\(7\)](#)

Changes to legislation: There are currently no known outstanding effects for the Protection of Animals (Scotland) Act 1912, Section 7. (See end of Document for details)

- C5** S. 7(b) modified (16.10.1992) by Protection of Badgers Act 1992 (c. 51), **ss. 10(10)**, 15(3)
- C6** S. 7(b) modified (31.12.2003) by Plant Protection Products (Scotland) Regulations 2003 (S.S.I. 2003/579), regs. 1(1), **22(7)**

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