



# Hunting with Dogs (Scotland) Act 2023

## 2023 asp 1

### PART 1

#### HUNTING A WILD MAMMAL USING A DOG

##### *Exceptions to the offences*

#### **8 Exception: searching for dead wild mammals**

- (1) This section applies if—
- (a) a person is using a dog above ground to search for and retrieve a dead wild mammal, and
  - (b) the conditions set out in subsection (2) are met.
- (2) The conditions referred to in subsection (1)(b) are that—
- (a) the activity mentioned in subsection (1)(a) does not involve the use of more than two dogs,
  - (b) any dog used in the activity is under control,
  - (c) reasonable steps are taken to ensure that any dog used in the activity does not join with others to form a pack of more than two dogs,
  - (d) either—
    - (i) permission for the activity has been given by the owner of the land on which the activity takes place,
    - (ii) the person carrying out the activity is a constable exercising a power of entry,
    - (iii) the person carrying out the activity is exercising a power of entry under section 14M or 14N of the Wildlife and Countryside Act 1981, or
    - (iv) the person carrying out the activity is exercising a power of entry under section 15 of the Deer (Scotland) Act 1996,
  - (e) reasonable steps are taken to ensure that no wild mammal is pursued, injured or killed.

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**Changes to legislation:** *There are currently no known outstanding effects for the Hunting with Dogs (Scotland) Act 2023, Section 8. (See end of Document for details)*

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**Commencement Information**

- I1** S. 8 not in force at Royal Assent, see [s. 31\(2\)](#)
- I2** [S. 8](#) in force at 3.10.2023 by [S.S.I. 2023/262](#), [reg. 2](#)

**Changes to legislation:**

There are currently no known outstanding effects for the *Hunting with Dogs (Scotland) Act 2023*, Section 8.