

Animals and Wildlife (Penalties, Protections and Powers) (Scotland) Bill – Stage 3

Section 5

Claudia Beamish

- 2** In section 5, page 8, line 23, after <1(1)(a)> insert <, (b)>

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- 3** In section 5, page 8, line 23, after <1(1)(a)> insert <, (ba)>

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- 4** In section 5, page 8, line 23, after <1(1)(a)> insert <, (bb)>

Claudia Beamish

- 5** In section 5, page 8, line 23, after <1(1)(a)> insert <, (c)>

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- 6** In section 5, page 8, line 23, after <1(1)(a)> insert <, (2)(a)>

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- 7** In section 5, page 8, line 23, after <1(1)(a)> insert <, (2)(b)>

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- 8** In section 5, page 8, line 23, after <1(1)(a)> insert <, (5)(a)>

Claudia Beamish

- 9** In section 5, page 8, line 23, after <1(1)(a)> insert <, (5)(b)>

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- 10** In section 5, page 8, line 23, after <1(1)(a)> insert <, (5A)>

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- 11** In section 5, page 8, line 23, after <1(1)(a)> insert <, (5B)>

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- 12** In section 5, page 8, line 30, after <9(1)> insert <, (4)(a)>

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- 13** In section 5, page 8, line 30, after <9(1)> insert <, (4)(b)>

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- 14 In section 5, page 8, line 35, after <(4)> insert <, (4ZZA)>

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- 15 In section 5, page 9, line 15, after <1(1)(a)> insert <, (b)>

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- 16 In section 5, page 9, line 15, after <1(1)(a)> insert <, (ba)>

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- 17 In section 5, page 9, line 15, after <1(1)(a)> insert <, (bb)>

Claudia Beamish

- 18 In section 5, page 9, line 15, after <1(1)(a)> insert <, (c)>

Claudia Beamish

- 19 In section 5, page 9, line 15, after <1(1)(a)> insert <, (2)(a)>

Claudia Beamish

- 20 In section 5, page 9, line 15, after <1(1)(a)> insert <, (2)(b)>

Claudia Beamish

- 21 In section 5, page 9, line 15, after <1(1)(a)> insert <, (5)(a)>

Claudia Beamish

- 22 In section 5, page 9, line 15, after <1(1)(a)> insert <, (5)(b)>

Claudia Beamish

- 23 In section 5, page 9, line 15, after <1(1)(a)> insert <, (5A)>

Claudia Beamish

- 24 In section 5, page 9, line 15, after <1(1)(a)> insert <, (5B)>

Claudia Beamish

- 25 In section 5, page 9, line 19, after <9(1)> insert <, (4)(a)>

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- 26 In section 5, page 9, line 19, after <9(1)> insert <, (4)(b)>

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- 27 In section 5, page 9, leave out line 25

After section 5

Claudia Beamish

- 28 After section 5, insert—

<Food and Environment Protection Act 1985: penalties for offences

Food and Environment Protection Act 1985: penalties for offences

- (1) The Food and Environment Protection Act 1985 is amended as follows.
- (2) In section 21 (offences-penalties etc.)—
 - (a) in subsection (4), after “and” insert “, subject to subsection (4A),”;
 - (b) after subsection (4), insert—

“(4A) A person guilty of an offence under regulations made in relation to any of paragraphs (a), (b), or (c) of section 16(3) shall be liable—

 - (a) on summary conviction, to imprisonment for a term not exceeding 12 months or a fine (or both);
 - (b) on conviction on indictment, to imprisonment for a term not exceeding 5 years or a fine (or both).”>

After section 10A

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- 29 After section 10A, insert—

<Conservation of seals

Killing, injuring or taking seals: offences, penalties etc.

- (1) The Marine (Scotland) Act 2010 is amended as follows.
- (2) In section 110 (seal licences)—
 - (a) in subsection (1), paragraphs (f) and (g) are repealed,
 - (b) subsections (2) and (3) are repealed.
- (3) Section 121 (power to enter land to protect fisheries or fish farms from seals) is repealed.
- (4) In section 122(1) (duty to notify occupier), the words “or 121(2)(a)” are repealed.
- (5) In section 123 (duty to produce authority), the words “or 121” are repealed.
- (6) In section 124 (obstructing an authorised person), the words “or 121” are repealed.
- (7) In section 128 (penalties)—
 - (a) before subsection (1) insert—

“(A1) A person guilty of an offence under section 107 is liable—

 - (a) on summary conviction, to imprisonment for a term not exceeding 12 months or a fine not exceeding £40,000 (or both),

- (b) on conviction on indictment, to imprisonment for a term not exceeding 5 years or a fine (or both).”,
- (b) in subsection (1), the words “107 or” are repealed>.

Alison Johnstone

30 After section 10A, insert—

<Protection of certain wild animals

Protection of certain wild animals

- (1) The Wildlife and Countryside Act 1981 is amended as follows.
- (2) In section 10A (protection of wild hares etc.) in subsection (2), paragraph (a) is repealed.
- (3) In schedule 5—
 - (a) after the entry in the first column “Grasshopper, Wart-biter” insert—
 - “Hare, mountain”,
 - (b) at the corresponding place in the second column insert—
 - “Lepus timidus”.
- (4) In schedule 5A—
 - (a) in the first column, the entry for “Hare, mountain” is repealed,
 - (b) in the second column, the entry for “Lepus timidus” is repealed.>

Long Title

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31 In the long title, page 1, line 5, after second <offences> insert <, to increase the protection for seals from being killed, injured or taken>