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)>

Claudia Beamish

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

Claudia Beamish

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)>

Claudia Beamish

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

Claudia Beamish

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

Claudia Beamish

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)>

Claudia Beamish

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

Claudia Beamish

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

Claudia Beamish

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

Claudia Beamish

13 In section 5, page 8, line 30, after <9(1)> insert <, (4)(b)>
Mairi Gougeon
14 In section 5, page 8, line 35, after <(4)> insert <, (4ZZA)>

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

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

Claudia Beamish
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)>

Claudia Beamish
26 In section 5, page 9, line 19, after <9(1)> insert <, (4)(b)>
Mairi Gougeon

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

Mairi Gougeon

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

Mairi Gougeon

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>