SCOTTISH STATUTORY INSTRUMENTS

2024 No. 168 (C. 15)

NATURE CONSERVATION

The Wildlife Management and Muirburn (Scotland) Act 2024 (Commencement No. 1) Regulations 2024

Made - - - -	*12th June 2024*
Laid before the Scottish Parliament	*14th June 2024*
Coming into force - -	*1st July 2024*

The Scottish Ministers make the following Regulations in exercise of the power conferred by section 35(2) of the Wildlife Management and Muirburn (Scotland) Act 2024(**a**).

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Wildlife Management and Muirburn (Scotland) Act 2024 (Commencement No. 1) Regulations 2024 and come into force on 1 July 2024.

(2) In these Regulations, "the Act" means the Wildlife Management and Muirburn (Scotland) Act 2024.

Appointed day

2.—(1) The provisions of the Act specified in column 1 of the table in Part 1 of the schedule (the subject matter of which is described in column 2 of that table) come into force on 1 July 2024.

(2) The provisions of the Act specified in column 1 of the table in Part 2 of the schedule (the subject matter of which is described in column 2 of that table) come into force on 22 July 2024.

(3) Where a purpose is specified in column 3 of the table in Part 1 or Part 2 of the schedule, the corresponding provision in column 1 comes into force in accordance with paragraphs (1) or (2) only for that purpose.

JIM FAIRLIE
Authorised to sign by the Scottish Ministers

St Andrew's House,
Edinburgh
12th June 2024

(**a**) 2024 asp 4.

SCHEDULE

Regulation 2

Provisions of the Act coming into force on the day appointed

PART 1

Provisions of the Act coming into force on 1 July 2024

Column 1 *Provisions of the Act*	*Column 2* *Subject Matter*	*Column 3* *Purpose*
Section 10	Licensing: land on which certain birds may be killed or taken	Inserting section 16AC (section 16AA licence: code of practice) and 16AD (section 16AA licence: delegation of power in relation to code of practice) into the Wildlife and Countryside Act 1981.[(1)]
Section 18	Muirburn Code	
Section 21	Delegation	

[(1)] 1981 c. 69.

PART 2

Provisions of the Act coming into force on 22 July 2024

Column 1 *Provisions of the Act*	*Column 2* *Subject Matter*	*Column 3* *Purpose*
Section 9	Killing and taking of certain birds permitted only on land with section 16AA licence	
Section 10	Licensing: land on which certain birds may be killed or taken	For all remaining purposes.

EXPLANATORY NOTE

(This note is not part of the Regulations)

The Bill for the Wildlife Management and Muirburn (Scotland) Act 2024 ("the Act") received Royal Assent on 30 April 2024. Sections 35 and 36 of the Act came into force the following day. These Regulations partially commence section 10 of the Act on 1 July 2024 and then commence sections 9 and 10 in so far as not already in force on 22 July 2024. These Regulations also commence sections 18 and 21 of the Act on 1 July 2024.

Section 10 of the Act inserts new sections 16AA to 16AF into the Wildlife and Countryside Act 1981 ("the 1981 Act") to establish a licensing scheme for the use of land for the purposes of permitting the killing or taking of birds listed in Part 1B of schedule 2 of the 1981 Act. These Regulations bring into force sections 16AC and 16AD on 1 July 2024 to allow for the code of practice required for the operation of the section 16AA licensing scheme to be prepared, reviewed, revised and published and for the responsibility to do so to be able to be delegated to Scottish Natural Heritage. These Regulations then bring into force section 9 and section 10 in so far as not already in force on 22 July 2024. The effect of this is that from this date it will be an offence to kill or take a bird listed in Part 1B of schedule 2 of the 1981 Act outside of the close season for that bird if the person is not acting in accordance with a licence issued under section 16AA.

Part 2 of the Act establishes a licensing scheme for carrying out muirburn. These Regulations bring into force section 18 and 21 on 1 July 2024 to allow for the Muirburn Code, which is required for the operation of the muirburn licensing scheme, to be prepared, reviewed, revised and published and for the responsibility to do so to be able to be delegated to Scottish Natural Heritage. The remainder of Part 2 of the Act will be brought into force by future regulations.

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