SCOTTISH STATUTORY INSTRUMENTS

2026 No. 240

NATURE CONSERVATION

The Wildlife Management and Muirburn (Scotland) Act 2024 (Consequential Amendments) Regulations 2026

Made - - - -	*20th August 2026*
Laid before the Scottish Parliament	*24th August 2026*
Coming into force - -	*10th October 2026*

The Scottish Ministers make the following Regulations in exercise of the power conferred by section 34(1) of the Wildlife Management and Muirburn (Scotland) Act 2024(**a**) and all other powers enabling them to do so.

Citation and commencement

1. These Regulations may be cited as the Wildlife Management and Muirburn (Scotland) Act 2024 (Consequential Amendments) Regulations 2026 and come into force on 10 October 2026.

The Environmentally Sensitive Areas (Loch Lomond) Designation Order 1992

2.—(1) The Environmentally Sensitive Areas (Loch Lomond) Designation Order 1992(**b**) is amended as follows.

(2) In paragraph 4 of the schedule (requirements to be included in an agreement as regards land which is the subject of an agreement), for "the standards set out in the Farming and Wildlife Advisory Group leaflet entitled "The Principles and Practice of Heather Burning" and published in 1988" substitute "the Muirburn Code prepared and published under section 18 of the Wildlife Management and Muirburn (Scotland) Act 2024".

The Environmentally Sensitive Areas (Breadalbane) Designation Order 1992

3.—(1) The Environmentally Sensitive Areas (Breadalbane) Designation Order 1992(**c**) is amended as follows.

(2) In paragraph 4 of the schedule (requirements to be included in an agreement as regards land which is the subject of an agreement), for "the standards set out in the Farming and Wildlife Advisory Group leaflet entitled "The Principles and Practice of Heather Burning" and published in 1988" substitute "the Muirburn Code prepared and published under section 18 of the Wildlife Management and Muirburn (Scotland) Act 2024".

(**a**) 2024 asp 4.
(**b**) S.I. 1992/1919, to which there are amendments not relevant to these Regulations.
(**c**) S.I. 1992/1920, to which there are amendments not relevant to these Regulations.

The Environmentally Sensitive Areas (Central Southern Uplands) Designation Order 1993

4.—(1) The Environmentally Sensitive Areas (Central Southern Uplands) Designation Order 1993(**a**) is amended as follows.

(2) In paragraph 4 of the schedule (requirements to be included in an agreement as regards land which is the subject of an agreement), for "the standards set out in the Farming and Wildlife Advisory Group leaflet entitled "The Principles and Practice of Heather Burning" and published in 1988" substitute "the Muirburn Code prepared and published under section 18 of the Wildlife Management and Muirburn (Scotland) Act 2024".

The Environmentally Sensitive Areas (Western Southern Uplands) Designation Order 1993

5.—(1) The Environmentally Sensitive Areas (Western Southern Uplands) Designation Order 1993(**b**) is amended as follows.

(2) In paragraph 4 of the schedule (requirements to be included in an agreement as regards land which is the subject of an agreement), for "the standards set out in the Farming and Wildlife Advisory Group leaflet entitled "The Principles and Practice of Heather Burning" and published in 1988" substitute "the Muirburn Code prepared and published under section 18 of the Wildlife Management and Muirburn (Scotland) Act 2024".

The Environmentally Sensitive Areas (Cairngorms Straths) Designation Order 1993

6.—(1) The Environmentally Sensitive Areas (Cairngorms Straths) Designation Order 1993(**c**) is amended as follows.

(2) In paragraph 4 of the schedule (requirements to be included in an agreement as regards land which is the subject of an agreement), for "the standards set out in the Scottish Natural Heritage leaflet entitled "A Muirburn Code" and published in 1993" substitute "the Muirburn Code prepared and published under section 18 of the Wildlife Management and Muirburn (Scotland) Act 2024".

The Environmentally Sensitive Areas (Central Borders) Designation Order 1993

7.—(1) The Environmentally Sensitive Areas (Central Borders) Designation Order 1993(**d**) is amended as follows.

(2) In paragraph 4 of the schedule (requirements to be included in an agreement as regards land which is the subject of an agreement), for "the standards set out in the Scottish Natural Heritage leaflet entitled "A Muirburn Code" published in 1993" substitute "the Muirburn Code prepared and published under section 18 of the Wildlife Management and Muirburn (Scotland) Act 2024".

The Environmentally Sensitive Areas (Stewartry) Designation Order 1993

8.—(1) The Environmentally Sensitive Areas (Stewartry) Designation Order 1993(**e**) is amended as follows.

(2) In paragraph 4 of the schedule (requirements to be included in an agreement as regards land which is the subject of an agreement), for "the standards set out in the Scottish Natural Heritage leaflet entitled "A Muirburn Code" published in 1993" substitute "the Muirburn Code

(**a**) S.I. 1993/996, to which there are amendments not relevant to these Regulations.
(**b**) S.I. 1993/997, to which there are amendments not relevant to these Regulations.
(**c**) S.I. 1993/2345, to which there are amendments not relevant to these Regulations.
(**d**) S.I. 1993/2767, to which there are amendments not relevant to these Regulations.
(**e**) S.I. 1993/2768, to which there are amendments not relevant to these Regulations.

prepared and published under section 18 of the Wildlife Management and Muirburn (Scotland) Act 2024".

The Environmentally Sensitive Areas (Argyll Islands) Designation Order 1993

9.—(1) The Environmentally Sensitive Areas (Argyll Islands) Designation Order 1993(**a**) is amended as follows.

(2) In paragraph 4 of the schedule (requirements to be included in an agreement as regards land which is the subject of an agreement), for "the standards set out in the Scottish Natural Heritage leaflet entitled "A Muirburn Code" published in 1993" substitute "the Muirburn Code prepared and published under section 18 of the Wildlife Management and Muirburn (Scotland) Act 2024".

The Environmentally Sensitive Areas (Shetland Islands) Designation Order 1993

10.—(1) The Environmentally Sensitive Areas (Shetland Islands) Designation Order 1993(**b**) is amended as follows.

(2) In paragraph 4 of Part 1 of the schedule (requirements to be included in an agreement with a crofter or farmer regarding his croft or farmland and apportioned land), for "the standards set out in the Scottish Natural Heritage leaflet entitled "A Muirburn Code" and published in 1993" substitute "the Muirburn Code prepared and published under section 18 of the Wildlife Management and Muirburn (Scotland) Act 2024".

(3) In paragraph 4 of Part 2 of the schedule (requirements to be included in an agreement with a common grazings committee as regards land which is the subject of an agreement), for "the standards set out in the Scottish Natural Heritage leaflet entitled "A Muirburn Code" and published in 1993" substitute "the Muirburn Code prepared and published under section 18 of the Wildlife Management and Muirburn (Scotland) Act 2024".

The Conservation (Natural Habitats, &c.) Regulations 1994

11.—(1) The Conservation (Natural Habitats, &c.) Regulations 1994(**c**) are amended as follows.

(2) In regulation 3(2) (duties relating to compliance with the Directives)—

(a) after "the Environmental Authorisations (Scotland) Regulations 2018;" omit "and",

(b) before "these Regulations" insert "Part 2 of Wildlife Management and Muirburn (Scotland) Act 2024; and".

(3) In regulation 3A(4) (duties in relation to wild bird habitat)—

(a) for "sections 23A to 24" substitute "section 24",

(b) after "the Environmental Authorisations (Scotland) Regulations 2018;" omit "and",

(c) before "any function exercisable in relation to town and country planning" insert "Part 2 of the Wildlife Management and Muirburn (Scotland) Act 2024; and".

The Environmental Regulation (Significant Environmental Harm) (Scotland) Order 2014

12.—(1) The Environmental Regulation (Significant Environmental Harm) (Scotland) Order 2014(**d**) is amended as follows.

(2) In the schedule (specified enactments)—

(**a**) S.I. 1993/3136, to which there are amendments not relevant to these Regulations.
(**b**) S.I. 1993/3150, to which there are amendments not relevant to these Regulations.
(**c**) S.I. 1994/2716, relevantly amended by S.S.I. 2019/364, and S.S.I. 2025/165.
(**d**) S.S.I. 2014/324, to which there are amendments not relevant to these Regulations.

(a) in paragraph 1, for "Section 23 to 26A" substitute "Sections 24 and 26A",

(b) after paragraph 2, insert—

"2A. Part 2 of the Wildlife Management and Muirburn (Scotland) Act 2024(**a**).".

The Nature Conservation (Scotland) Act 2004 (Authorised Operations) Order 2016

13.—(1) The Nature Conservation (Scotland) Act 2004 (Authorised Operations) Order 2016(**b**) is amended as follows.

(2) In article 2(2)(b) (authorised operations), for "section 23C of the Hill Farming Act 1946" substitute "section 14 of the Wildlife Management and Muirburn (Scotland) Act 2024".

JIM FAIRLIE
Authorised to sign by the Scottish Ministers

St Andrew's House
Edinburgh
20th August 2026

EXPLANATORY NOTE

(This note is not part of the Regulations)

Muirburn was previously regulated under the Hill Farming Act 1946 ("the 1946 Act"). Part 2 of the Wildlife Management and Muirburn (Scotland) Act 2024 ("the 2024 Act") establishes a licensing scheme for the carrying out of muirburn. This scheme replaces the 1946 Act regime on 15 September 2026 when Part 2 of the 2024 Act comes fully into force and the majority of the muirburn provisions in the 1946 Act are repealed.

These Regulations make consequential amendments to secondary legislation relating to the environment in Scotland as a result of the commencement of Part 2 of the 2024 Act.

© Crown Copyright 2026

Printed and published in the UK by The Stationery Office Limited under the authority and superintendence of Saul Nassé, the King's Printer for Scotland.

(**a**) 2024 asp 4.
(**b**) S.S.I. 2016/38, to which there are amendments not relevant to these Regulations.

ISBN 978-0-11-106670-6

£6.40

http://www.legislation.gov.uk/id/ssi/2026/240

9 780111 066706