

Hunting with Dogs (Scotland) Bill

Groupings of Amendments for Stage 3

This document provides procedural information which will assist in preparing for and following proceedings on the above Bill. The information provided is as follows:

- the list of groupings (that is, the order in which amendments will be debated). Any procedural points relevant to each group are noted;
- the text of amendments to be debated on the day of Stage 3 consideration, set out in the order in which they will be debated. **THIS LIST DOES NOT REPLACE THE MARSHALLED LIST, WHICH SETS OUT THE AMENDMENTS IN THE ORDER IN WHICH THEY WILL BE DISPOSED OF.**

Groupings of amendments

Group 1: Exception for use of dogs below ground

19, 25, 28, 31, 54, 55, 5, 6, 7, 8, 58, 59

Group 2: Field sports

20, 21, 26, 27, 29, 30, 32, 33, 60, 63, 64, 65, 66, 67, 68

Notes on amendments in this group

Amendment 64 pre-empts amendment 65

Group 3: Definition of wild mammal

22, 23, 24

Group 4: Exceptions: condition of killing the wild mammal

34, 1, 35, 36, 56, 9, 57, 61, 10, 62, 11, 70, 12, 71

1 hour and 40 minutes

Group 5: Licences for use of more than two dogs

37, 38, 39, 2, 40, 41, 42, 43, 44, 45, 46, 47, 48, 3, 4, 49, 50, 51, 52, 53, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94

Notes on amendments in this group

Amendment 41 pre-empts amendments 42 and 43

Amendment 75 pre-empts amendments 76 and 77

Group 6: Environmental benefit exception

69

3 hours and 40 minutes

Group 7: Duties to report

95, 96, 101, 103, 104, 100, 102

Group 8: Laying a scent for training dogs

13, 14

5 hours and 10 minutes

Group 9: Exception for training dogs

97

Group 10: Court orders

15, 16, 98, 99, 17, 18

Group 11: Crown application

105, 106

6 hours and 10 minutes

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Amendments in debating order

Group 1: Exception for use of dogs below ground

Ariane Burgess

Supported by: Colin Smyth

19 In section 1, page 1, line 10, leave out <, 5>

Ariane Burgess

Supported by: Colin Smyth

25 In section 2, page 2, line 12, leave out <, 5>

Ariane Burgess

Supported by: Colin Smyth

28 In section 2, page 2, line 18, leave out <, 5>

Ariane Burgess

Supported by: Colin Smyth

31 In section 2, page 2, line 23, leave out <, 5>

Colin Smyth

54 In section 5, page 5, line 6, after <it> insert <, by shooting it as soon as reasonably possible,>

Rachael Hamilton

55 In section 5, page 5, line 12, at end insert—

<() preserving, protecting or restoring a particular species (which may include controlling the number of a species for its welfare),

() preserving, protecting or restoring the diversity of animal or plant life,

() eradicating an invasive non-native species of wild mammal from an area,>

Màiri McAllan

5 In section 5, page 5, line 17, leave out <is under> and insert <is—

() under>

Màiri McAllan

6 In section 5, page 5, line 17, at end insert—

<() fitted with a device to allow tracking of the position of the dog below ground,>

Màiri McAllan

7 In section 5, page 5, line 17, at end insert—

<() reasonable steps are taken—

(i) to prevent the dog becoming trapped below ground, and

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- (ii) if the dog becomes trapped below ground, to ensure that it is rescued as soon as reasonably possible,>

Màiri McAllan

8 In section 5, page 5, line 19, at end insert—

<() no steps are taken to prevent the fox from being flushed or emerging from below ground,>

Rachael Hamilton

58 In section 5, page 5, line 24, at end insert—

<() all reasonable steps are taken to prevent injury to the dog used in the activity, including steps to prevent the dog becoming trapped underground,
() if a dog becomes trapped underground, steps are taken to ensure it is rescued as soon as is practicable,
() the dog used in the activity is fitted with suitable electronic locating equipment,
() other than if using nets, all entrance and exit holes must be left open and unblocked, and no actions taken which might deter or prevent the wild mammal from leaving whenever it chooses to do so.>

Ariane Burgess

Supported by: Colin Smyth

59 Leave out section 5

Group 2: Field sports

Rachael Hamilton

20 In section 1, page 1, line 10, after <6B> insert <, (*Exception: rough shooting*)>

Rachael Hamilton

21 In section 1, page 1, line 10, after <6B> insert <, (*Exception: gundog field trials*)>

Rachael Hamilton

26 In section 2, page 2, line 12, after <6B> insert <, (*Exception: rough shooting*)>

Rachael Hamilton

27 In section 2, page 2, line 12, after <6B> insert <, (*Exception: gundog field trials*)>

Rachael Hamilton

29 In section 2, page 2, line 18, after <6B> insert <, (*Exception: rough shooting*)>

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Rachael Hamilton

30 In section 2, page 2, line 18, after <6B> insert <, (*Exception: gundog field trials*)>

Rachael Hamilton

32 In section 2, page 2, line 24, after <6B> insert <, (*Exception: rough shooting*)>

Rachael Hamilton

33 In section 2, page 2, line 24, after <6B> insert <, (*Exception: gundog field trials*)>

Colin Smyth

60 In section 6, page 5, line 31, leave out <falconry,>

Rachael Hamilton

63 In section 6, page 6, line 11, leave out <for sport>

Colin Smyth

64 In section 6, page 6, leave out line 12

Rachael Hamilton

65 In section 6, page 6, line 12, leave out <for sport>

Rachael Hamilton

66 In section 6, page 6, line 13, leave out <for sport>

Rachael Hamilton

67 After section 6B, insert—

<Exception: rough shooting

(1) This section applies if—

(a) a person is using one or more dogs above ground to—

(i) search for, stalk or flush from cover a wild mammal, with the intention of providing quarry for a rough shoot,

(ii) search for and retrieve a wild mammal which has been killed as a result of the activity mentioned in sub-paragraph (i), and

(b) the conditions set out in subsection (2) are met.

(2) The conditions referred to in subsection (1)(b) are that—

(a) any dog used in the activity is under control,

(b) permission for the activity has been given by the owner of the land on which the activity takes place,

(c) any wild mammal being flushed is shot dead, or killed by a bird of prey, as soon as reasonably possible,

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- (d) if an attempt to kill the wild mammal, as mentioned in paragraph (c), results in it being injured but not killed, reasonable steps are taken to kill it as humanely as possible.
- (3) For the purposes of this section, “rough shooting” means informal mixed quarry shooting which is not undertaken with the intention of using a pack of more than two dogs to search for, stalk or flush from cover a wild mammal.>

Rachael Hamilton

68 After section 6B, insert—

<Exception: gundog field trials

- (1) This section applies if—
 - (a) a person is using one or more gundogs above ground to—
 - (i) search for, stalk or flush from cover a wild mammal, with the intention of providing quarry for a field trial,
 - (ii) search for and retrieve a wild mammal which has been killed as a result of the activity mentioned in sub-paragraph (i), and
 - (b) the conditions set out in subsection (2) are met.
- (2) The conditions referred to in subsection (1)(b) are that—
 - (a) any dog used in the activity is under control,
 - (b) permission for the activity has been given by the owner of the land on which the activity takes place,
 - (c) the wild mammal which is being searched for, stalked or flushed is shot dead, or killed by a bird of prey, as soon as reasonably possible,
 - (d) if an attempt to kill the wild mammal, as mentioned in paragraph (c), results in it being injured but not killed, reasonable steps are taken to kill it as humanely as possible,
 - (e) due regard has been given to any Kennel Club Field Trial Regulations, including Gundog Working Tests.
- (3) In this section—
 - “field trial” means a meeting for the purpose of holding competitions to assess the work of gundogs in the field, with dogs working on live unhandled game and where game may be shot,
 - “gundog” means a type of hunting dog developed to assist hunters in finding and retrieving game.>

Group 3: Definition of wild mammal

Edward Mountain

22 In section 1, page 1, line 27, at end insert—

<() a mink,>

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Edward Mountain

- 23 In section 1, page 1, line 27, at end insert—
<() a rabbit,>

Rachael Hamilton

- 24 In section 1, page 2, line 1, leave out <or> and insert—
<() a rabbit, where permission for the activity has been given by the owner of the land on which the activity takes place, or>

Group 4: Exceptions: condition of killing the wild mammal

Colin Smyth

- 34 In section 3, page 3, line 26, leave out <, or killed by a bird of prey,>

Colin Smyth

Supported by: Ariane Burgess

- 1 In section 3, page 3, line 29, after <way> insert <(other than by using a dog)>

Rachael Hamilton

- 35 In section 3, page 3, line 30, after <suffering> insert <in the circumstances>

Edward Mountain

- 36 In section 3, page 3, line 30, at end insert—
<(g) in an attempt to kill under paragraph (f), the limit of two dogs mentioned in paragraph (a)(i) does not apply.>

Colin Smyth

- 56 In section 5, page 5, line 21, leave out <, or killed by a bird of prey,>

Colin Smyth

Supported by: Ariane Burgess

- 9 In section 5, page 5, line 23, after <way> insert <(other than by using a dog)>

Rachael Hamilton

- 57 In section 5, page 5, line 24, after <suffering> insert <in the circumstances>

Colin Smyth

- 61 In section 6, page 6, line 5, leave out <, or killed by a bird of prey,>

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Colin Smyth

Supported by: Ariane Burgess

- 10 In section 6, page 6, line 8, after <way> insert <(other than by using a dog)>

Rachael Hamilton

- 62 In section 6, page 6, line 9, after <suffering> insert <in the circumstances>

Colin Smyth

Supported by: Ariane Burgess

- 11 In section 6A, page 7, line 10, after <way> insert <(other than by using a dog)>

Colin Smyth

- 70 In section 7, page 8, line 29, leave out <, or killed by a bird of prey,>

Colin Smyth

Supported by: Ariane Burgess

- 12 In section 7, page 8, line 32, after <way> insert <(other than by using a dog)>

Rachael Hamilton

- 71 In section 7, page 8, line 33, after <suffering> insert <in the circumstances>

Group 5: Licences for use of more than two dogs

Ariane Burgess

Supported by: Colin Smyth

- 37 In section 4, page 4, line 1, after <deployed,> insert—
- <() the intended activity as set out in section 3(1)(a),
 - () if a bird of prey is intended to be used,
 - () the species of wild mammal to which the application relates,
 - () the number of wild mammals to which the application relates,
 - () the specific location within which the activity is intended to take place,
 - () the specific circumstances by which the purpose set out in section 3(2) applies, including the relevant damage, disease or threat,>

Ariane Burgess

Supported by: Colin Smyth

- 38 In section 4, page 4, line 1, at end insert—
- <(ca) be accompanied by an ethical wildlife management plan, which has been accepted by the relevant authority under subsection (2A),>

THIS IS NOT THE MARSHALLED LIST

Ariane Burgess

Supported by: Colin Smyth

- 39 In section 4, page 4, line 3, at end insert—
- <(2A) On receiving an ethical wildlife management plan under subsection (2)(ca), the relevant authority may—
- (a) accept the plan and proceed with processing the application,
 - (b) reject the plan and reject the application, or
 - (c) require the plan to be revised and resubmitted before proceeding with the application.>

Christine Grahame

- 2 In section 4, page 4, line 7, leave out <or to a category of persons>

Ariane Burgess

Supported by: Colin Smyth

- 40 In section 4, page 4, line 9, after <that> insert—

<()>

Rachael Hamilton

- 41 In section 4, page 4, line 9, leave out <there is no other solution which would be effective in> and insert <it is necessary and will make a significant contribution to>

Rachael Hamilton

- 42 In section 4, page 4, line 9, after <other> insert <satisfactory>

Rachael Hamilton

- 43 In section 4, page 4, line 10, after <which> insert <alone>

Ariane Burgess

Supported by: Colin Smyth

- 44 In section 4, page 4, line 11, at end insert—
- <() the use of the licence for the specified purpose complies with best practice in ethical wildlife management,>

Ariane Burgess

Supported by: Colin Smyth

- 45 In section 4, page 4, line 12, leave out <may> and insert <must>

Colin Smyth

- 46 In section 4, page 4, line 21, after <licence> insert <and adhering to a set of standards based on principles for ethical wildlife management>

THIS IS NOT THE MARSHALLED LIST

Ariane Burgess

Supported by: Colin Smyth

- 47 In section 4, page 4, line 21, after <licence,> insert <including—
- () the number of wild mammals hunted or killed,
 - () the specific location where any wild mammal was killed,
 - () the identity of the person who used the dogs to hunt the wild mammal in each case, and
 - () whether this achieved the purpose for which the licence was granted.>

Rachael Hamilton

- 48 In section 4, page 4, line 23, leave out <6> and insert <12>

Christine Grahame

- 3 In section 4, page 4, line 26, leave out <or category of persons>

Christine Grahame

- 4 In section 4, page 4, line 33, at end insert—
- <(5A) The relevant authority must keep a register of licences granted, including the start and end dates of the licence and the name of the licence holder.
 - (5B) The relevant authority must make the register available for public inspection.
 - (5C) The Scottish Ministers may by regulations make further provision for the purposes of subsection (5A).
 - (5D) Regulations made under subsection (5C) are subject to the affirmative procedure.>

Colin Smyth

- 49 In section 4, page 4, line 33, at end insert—
- <() In this section, the principles for ethical wildlife management are as follows—
 - (a) prioritise prevention and mitigation measures wherever possible,
 - (b) demonstrate that serious damage is being caused to people, ecosystems or other animals,
 - (c) set measurable, adaptive, outcome-based objectives that will reduce the damage,
 - (d) use methods that predictably minimise animal welfare harms and the number of animals harmed,
 - (e) consider community values, informed by scientific, technical and practical information,
 - (f) integrate all measures into plans for systematic long-term management,
 - (g) base decisions on the specifics of the situation rather than wholesale application to target species.>

THIS IS NOT THE MARSHALLED LIST

Ariane Burgess

Supported by: Colin Smyth

- 50 In section 4, page 4, line 34, after <section,> insert—
- <“ethical wildlife management” means wildlife management in which—
- (a) ethical reasoning is applied,
 - (b) evidence is consulted, and
 - (c) animal welfare is prioritised,
- when decisions are made around if, when and how wildlife management interventions should take place,>

Ariane Burgess

Supported by: Colin Smyth

- 51 In section 4, page 4, line 34, after <section,> insert—
- <“ethical wildlife management plan” means a plan for systematic, long-term maintenance of the relevant purpose referred to in section 3(2) which demonstrates that the methods used will align with best practice in ethical wildlife management and which must—
- (a) demonstrate that substantial harm is being caused to people, ecosystems, or other animals,
 - (b) identify and address the root causes of that harm,
 - (c) compare the proposals in the plan to an objective evaluation of the effects of no control actions being undertaken,
 - (d) set clear and achievable outcome-based objectives to address that harm that are—
 - (i) continuously monitored,
 - (ii) able to be adapted if appropriate,
 - (iii) intended to achieve one of the purposes referred to in section 3(2),
 - (e) involve collaboration with neighbouring land managers where appropriate,
 - (f) use landscape-scale management methods where required to ensure a long-term solution which reduces or eliminates the need to hunt with dogs over time,
 - (g) utilise the methods that cause the least amount of harm to the least number of animals and are in alignment with the conditions referred to in section 3(3),>

Ariane Burgess

Supported by: Colin Smyth

- 52 In section 4, page 4, line 37, at end insert—
- <“wildlife management” means the deliberate and targeted intervention by people to change the population, structure or distribution of wild species, particularly terrestrial mammals and birds.>

THIS IS NOT THE MARSHALLED LIST

Ariane Burgess

Supported by: Colin Smyth

53 In section 4, page 4, line 37, at end insert—

<() The Scottish Ministers may by regulations provide further detail on the definitions in subsection (6).

() Regulations under this section are subject to the affirmative procedure.>

Ariane Burgess

Supported by: Colin Smyth

72 In section 8, page 9, line 17, after <deployed,> insert—

<() the intended activity as set out in section 7(1)(a),

() if a bird of prey is intended to be used,

() if the intention is to kill, capture, or observe the wild mammal,

() the species of wild mammal to which the application relates,

() the number of wild mammals to which the application relates,

() the specific location within which the activity is intended to take place,

() the specific circumstances by which the purpose set out in section 7(2) applies, including the relevant species or diversity targeted,>

Ariane Burgess

Supported by: Colin Smyth

73 In section 8, page 9, line 17, at end insert—

<(ca) be accompanied by an ethical wildlife management plan, which has been accepted by the relevant authority under subsection (2A),>

Ariane Burgess

Supported by: Colin Smyth

74 In section 8, page 9, line 19, at end insert—

<(2A) On receiving an ethical wildlife management plan under subsection (2)(ca), the relevant authority may—

(a) accept the plan and proceed with processing the application,

(b) reject the plan and reject the application, or

(c) require the plan to be revised and resubmitted before proceeding with the application.>

Rachael Hamilton

75 In section 8, page 9, line 28, leave out <there is no other solution which would be effective in> and insert <it is necessary and will make a significant contribution to>

Rachael Hamilton

76 In section 8, page 9, line 28, after <other> insert <satisfactory>

THIS IS NOT THE MARSHALLED LIST

Rachael Hamilton

77 In section 8, page 9, line 28, after <which> insert <alone>

Ariane Burgess

Supported by: Colin Smyth

78 In section 8, page 9, line 30, at end insert—

<() that the use of the licence for the specified purpose complies with best practice in ethical wildlife management,>

Ariane Burgess

Supported by: Colin Smyth

79 In section 8, page 9, line 31, leave out <may> and insert <must>

Colin Smyth

80 In section 8, page 9, line 40, after <licence> insert <and adhering to a set of standards based on principles for ethical wildlife management>

Ariane Burgess

Supported by: Colin Smyth

81 In section 8, page 9, line 40, after <licence,> insert <including—

- () the number of wild mammals hunted or killed,
- () the specific location where any wild mammal was killed,
- () the identity of the person who used the dogs to hunt the wild mammal in each case, and
- () whether this achieved the purpose for which the licence was granted,>

Colin Smyth

82 In section 8, page 10, line 12, at end insert—

- <() In this section, the principles for ethical wildlife management are as follows—
- (a) prioritise prevention and mitigation measures wherever possible,
 - (b) demonstrate that serious damage is being caused to people, ecosystems or other animals,
 - (c) set measurable, adaptive, outcome-based objectives that will reduce the damage,
 - (d) be based on the specifics of the situation rather than wholesale application to target species,
 - (e) use methods that predictably minimise animal welfare harms and the number of animals harmed,
 - (f) integrate all measures into plans for systematic long-term management,
 - (g) base decisions on the specifics of the situation rather than wholesale application to target species.>

THIS IS NOT THE MARSHALLED LIST

Ariane Burgess

Supported by: Colin Smyth

- 83 In section 8, page 10, line 13, after <section,> insert <—
- “ethical wildlife management” means wildlife management in which—
- (a) ethical reasoning is applied,
 - (b) evidence is consulted, and
 - (c) animal welfare is prioritised,
- when decisions are made around if, when and how wildlife management interventions should take place,>

Ariane Burgess

Supported by: Colin Smyth

- 84 In section 8, page 10, line 13, after <section,> insert <—
- “ethical wildlife management plan” means a plan for systematic, long-term maintenance of the relevant purpose referred to in section 7(2) which demonstrates that the methods used will align with best practice in ethical wildlife management and which must—
- (a) demonstrate that substantial harm is being caused to people, ecosystems, or other animals,
 - (b) identify and address the root causes of that harm,
 - (c) compare the proposals in the plan to an objective evaluation of the effects of no control actions being undertaken,
 - (d) set clear and achievable outcome-based objectives to address that harm that are—
 - (i) continuously monitored,
 - (ii) able to be adapted if appropriate,
 - (iii) intended to achieve one of the purposes referred to in section 7(2),
 - (e) involve collaboration with neighbouring land managers where appropriate,
 - (f) use landscape-scale management methods where required to ensure a long-term solution which reduces or eliminates the need to hunt with dogs over time,
 - (g) utilise the methods that cause the least amount of harm to the least number of animals and are in alignment with the conditions referred to in section 7(3),>

Ariane Burgess

Supported by: Colin Smyth

- 85 In section 8, page 10, line 13, at end insert—
- <<“wildlife management” means the deliberate and targeted intervention by people to change the population, structure or distribution of wild species, particularly terrestrial mammals and birds.>

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Ariane Burgess

Supported by: Colin Smyth

86 In section 8, page 10, line 13, at end insert—

- <() The Scottish Ministers may by regulations provide further detail on the definitions in subsection (6).
- () Regulations under this section are subject to the affirmative procedure.>

Rachael Hamilton

87 After section 8, insert—

<Breach of licence

For the avoidance of doubt, a person does not breach the conditions of a licence under section 4 or 8 if the licence is granted for the control or eradication of—

- (a) an invasive non-native species,
- (b) a species non-native to a specific area,
- (c) a species considered to be a pest to either humans, livestock, or other animal or plant life.>

Rachael Hamilton

88 After section 8, insert—

<Breach of licence: protection of property

For the avoidance of doubt, a person does not breach the conditions of a licence under sections 4 or 8 if they are exercising their rights under Article 1 of the First Protocol of the Convention for the Protection of Human Rights and Fundamental Freedoms agreed by the Council of Europe at Rome on 4 November 1950.>

Rachael Hamilton

89 After section 8, insert—

<Licence for specific circumstances

- (1) A person may apply for a licence permitting the use of more than two dogs for the activity mentioned in section 3(1)(a) and 7(1)(a) if any of the circumstances in subsection (2) apply.
- (2) The circumstances referred to in subsection (1) are—
 - (a) the need for effective pest control on rough and hilly ground,
 - (b) activity taking place in extensive areas of dense cover,
 - (c) to account for days where weather conditions make it difficult for an individual dog to pick up an animal scent,
 - (d) the need for effective management of wild boar and feral pig populations,
 - (e) activity being located in a densely populated area where guns cannot be used due to safety factors or noise pollution,
 - (f) the recovery of a wild mammal injured in a vehicle collision,

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- (g) animal welfare considerations, in particular—
 - (i) protecting dogs from exhaustion,
 - (ii) ensuring foxes or other pest species are humanely dispatched by shots by gamekeepers or other trained marksmen.
- (3) The Scottish Ministers may by regulations make further provision about the form and content of an application for a licence under this section.
- (4) Regulations under this section are subject to the affirmative procedure.>

Rachael Hamilton

90 After section 8, insert—

<Licence for pest species

- (1) A person may apply for a licence permitting the use of more than two dogs for the activity mentioned in 7(1)(a) if they can demonstrate that control of a pest species has benefited the protection and restoration of ground nesting birds.
- (2) In this section “pest species” means—
 - (a) an invasive non-native species,
 - (b) a species non-native to a specific areas,
 - (c) a species considered to be a pest to native animal or plant life whether endangered or not.
- (3) The Scottish Ministers may by regulations make further provision about the form and content of a licence under this section.
- (4) Regulations under this section are subject to the affirmative procedure.>

Rachael Hamilton

91 Before section 9, insert—

<Granting of licences

- (1) On receipt of an application for a licence under section 4 or 8, the relevant authority must—
 - (a) grant a licence,
 - (b) refuse a licence, or
 - (c) respond to the applicant,within 30 days.
- (2) The relevant authority is liable for undue delay where it does not meet the timescale as mentioned in subsection (1).>

Rachael Hamilton

92 Before section 9, insert—

<Emergency licence

- (1) A person may apply for an emergency licence under sections 4 or 8 if they can demonstrate that the licence is required urgently in order to effectively achieve a purpose under section 3(2) or 7(2).

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- (2) The relevant authority must grant or refuse an emergency licence within 24 hours of receiving an application.
- (3) The Scottish Ministers may by regulations make further provision as to the form and content of an application for an emergency licence.
- (4) Regulations under subsection (3) are subject to the affirmative procedure.>

Ariane Burgess

Supported by: Colin Smyth

93 Before section 9, insert—

<Register of licences

- (1) The relevant authority must keep a register of licences granted under sections 4 and 8.
- (2) The relevant authority must make the selected information under subsection (3) from the register available for public inspection.
- (3) The register must make available for each licence—
 - (a) the start date of the licence,
 - (b) the end date of the licence,
 - (c) the name of the licence holder,
 - (d) the number of dogs permitted under the licence,
 - (e) the area within which the activity may take place under the licence,
 - (f) any other information the relevant authority considers appropriate.
- (4) The information in subsection (3) must be made available before the commencement of a licence.
- (5) The Scottish Ministers may by regulations make further provision for the purposes of subsection (1).
- (6) Regulations made under subsection (5) are subject to the affirmative procedure.>

Rachael Hamilton

94 Before section 9, insert—

<Further provision on licences

- (1) The Scottish Ministers must by regulations make further provision for a licence in circumstances where the use of more than two dogs may be required.
- (2) A licence under subsection (1) can either relate to sections 4 or 8 or be a new licence.
- (3) The circumstances may include—
 - (a) to account for days where weather conditions make it difficult for an individual dog to pick up an animal scent,
 - (b) the need for effective management of wild boar and feral pig populations,
 - (c) activity being located in a densely populated area where guns cannot be used due to safety factors or noise pollution,
 - (d) the recovery of a wild mammal injured in a vehicle collision,

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- (e) animal welfare considerations, in particular—
 - (i) protecting dogs from exhaustion,
 - (ii) ensuring foxes or other pest species are humanely dispatched by shots by gamekeepers or other trained marksmen,
- (f) open ground with dense cover,
- (g) large blocks of moorland, forestry and rock piles,
- (h) rough, hilly terrain,
- (i) pest control activities linked to conservation,
- (j) contributing to the successful breeding of ground nesting birds.>

Group 6: Environmental benefit exception

Rachael Hamilton

- 69 In section 7, page 7, line 38, after <scheme> insert <or plan>

Group 7: Duties to report

Colin Smyth

- 95 After section 10, insert—

<Review of operation of sections 4 and 8

- (1) The Scottish Ministers must review the operation of sections 4 and 8.
- (2) The first review under subsection (1) must be carried out no later than 31 December 2028.
- (3) The second and each subsequent review must be carried out no later than the expiry of the period of 5 years beginning with the date on which the last report on a review was published under subsection (5).
- (4) In carrying out a review, the Scottish Ministers must consult—
 - (a) such persons as they consider have an interest in the operation of sections 4 and 8, and
 - (b) such other persons as they consider appropriate.
- (5) As soon as reasonably possible after carrying out a review, the Scottish Ministers must—
 - (a) lay a report on the review before the Scottish Parliament, and
 - (b) publish the report in such manner as they consider appropriate.
- (6) A report under subsection (5) must set out—
 - (a) the action (if any) that the Scottish Ministers intend to take as a result of the review (for example, proposing a change to the law), and
 - (b) where the Scottish Ministers do not intend to take any action, their reasons for this.>

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Edward Mountain

96 After section 10, insert—

<Reporting on licences

- (1) The Scottish Ministers must, within 2 years of Part 1 of this Act coming into force and annually thereafter, prepare and publish a report on licences under this Act.
- (2) A report under subsection (1) must include for each type of licence under this Act—
 - (a) the number of applications granted each year broken down by—
 - (i) applications by individuals,
 - (ii) applications by categories of person,
 - (iii) species of wild mammal to which the application related,
 - (iv) species of wild mammal for which the licence was granted,
 - (v) area within which the application related,
 - (vi) area within which the licence was granted,
 - (vii) the number of dogs for which permission was sought,
 - (viii) the maximum number of dogs permitted to be used,
 - (ix) the number of guns (if any) indicated were intended to be deployed,
 - (x) the minimum number of guns (if any) which were required to be deployed,
 - (b) the number of applications refused each year broken down by—
 - (i) applications by individuals,
 - (ii) applications by categories of person,
 - (iii) species of wild mammal to which the application related,
 - (iv) area within which the application related,
 - (v) the number of dogs for which permission was sought,
 - (vi) the number of guns (if any) indicated were intended to be deployed,
 - (vii) reasons for refusal,
 - (c) timescales for processing applications, and
 - (d) any other information the Scottish Ministers consider appropriate.
- (3) A report under subsection (1) must be laid before the Scottish Parliament.>

Rachael Hamilton

101 Before section 21, insert—

<Hare coursing

Impact of the Act on hare coursing

- (1) Within 2 years of Part 1 of the Act coming into force, the Scottish Ministers must produce and publish a report on the impact of the Act on hare coursing.
- (2) The report under subsection (1) must include information on—
 - (a) the number of prosecutions in relation to the unlawful hunting of hares using dogs,

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- (b) the number of convictions in relation to the unlawful hunting of hares using dogs,
 - (c) the number of disqualification orders made in relation to the unlawful hunting of hares using dogs,
 - (d) the appropriateness of penalties available in relation to the unlawful hunting of hares using dogs,
 - (e) funding for activities designed to address the unlawful hunting of hares using dogs,
 - (f) any other information that the Scottish Ministers consider appropriate.
- (3) In producing a report under subsection (1), the Scottish Ministers must consult such persons as they consider appropriate.>

Rachael Hamilton

103 Before section 21, insert—

<Duty to report

- (1) The Scottish Ministers must prepare a report setting out the impact of the Act on the following areas—
 - (a) the cultural heritage associated with hunting with dogs,
 - (b) the welfare of dogs, including—
 - (i) whether there has been, or is likely to be, a cull of working dogs, and
 - (ii) the impact of the two dog limit in situations where previously more than two dogs may have been used, and
 - (c) individuals whose employment is either directly or indirectly connected to hunting with dogs.
- (2) The report under subsection (1) must be published and laid before the Scottish Parliament within one year of the commencement of section 1.>

Rachael Hamilton

104 Before section 21, insert—

<Duty to report

- (1) The Scottish Ministers must prepare a report setting out the impact of the Act, if any, on—
 - (a) the level and health of the fox population,
 - (b) biodiversity, in particular ground nesting species (such as the curlew and lapwing), and
 - (c) farmers' income and any additional costs to farmers as a result of the Act, in particular with regards to livestock.
- (2) The report under subsection (1) must be published and laid before the Scottish Parliament within 3 years from the date of commencement of section 1.>

Rachael Hamilton

100 Before section 21, insert—

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<Review of Act

- (1) The Scottish Ministers must carry out a review at the end of the reporting period on the impact of the Act.
- (2) The review must include the impact of the Act's provisions on—
 - (a) Scottish Courts and Tribunal services, with regards to any increase in court procedures,
 - (b) Scottish Government departments responsible for implementing the provisions of this Act, with regards to staffing time,
 - (c) Scottish Natural Heritage, with regards to any increase in—
 - (i) staffing time to implement and administer the licence scheme,
 - (ii) resources to create or update electronic systems for the licence scheme.
- (3) The Scottish Ministers must prepare and publish a report in relation to the review under this section.
- (4) The reporting period is the period of 2 years beginning with the day after Royal Assent.>

Rachael Hamilton

102 Before section 21, insert—

<Review of Act

- (1) The Scottish Ministers must carry out a review at the end of the reporting period on the impact of the Act.
- (2) The review must include the impact of the Act's provisions on—
 - (a) the loss, if any, of jobs in rural areas, including on—
 - (i) veterinarians,
 - (ii) farriers,
 - (iii) grooms,
 - (iv) apprentices,
 - (v) hospitality services,
 - (b) any increase in administration costs for businesses,
 - (c) the loss, if any, of social structure and way of life which brings people together and provides social occasions and opportunities to meet,
 - (d) mental health, including increase in loneliness and isolation, due to the loss of social structure around hunts.
- (3) The Scottish Ministers must prepare and publish a report in relation to the review under this section.
- (4) The reporting period is the period of 2 years beginning with the day after Royal Assent.>

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Group 8: Laying a scent for training dogs

Christine Grahame

13 In section 11, page 11, line 9, at end insert—

- <() A person commits an offence if, in the course of any activity involving the laying of an artificial or human scent so that a dog may follow it, the person allows a dog to hunt a wild mammal or is reckless as to whether it does so, whether or not the activity is described as trail hunting.>

Màiri McAllan

14 After section 11, insert—

<Power to modify meaning of trail hunting

- (1) The Scottish Ministers may by regulations modify section 11 so as to include in the definition of trail hunting a scent other than an animal-based scent.
- (2) The Scottish Ministers may make regulations under subsection (1) only if they consider that modifying the definition of trail hunting would contribute towards the protection of wild mammals from unlawful hunting using dogs.
- (3) Regulations under subsection (1) are subject to the affirmative procedure.
- (4) Before laying a draft of a Scottish statutory instrument containing regulations under subsection (1) before the Scottish Parliament, the Scottish Ministers must consult such persons as they consider appropriate.
- (5) Regulations under subsection (1) may—
 - (a) make different provision for different purposes,
 - (b) modify—
 - (i) this Part,
 - (ii) section 14(1), 16(10), 17(13) or paragraph 1 of the schedule where such modification is consequential to the modification of this Part,
 - (c) make incidental, supplementary, consequential, transitional, transitory or saving provision (including provision for exceptions to the offences in section 11).>

Group 9: Exception for training dogs

Rachael Hamilton

97 After section 12, insert—

<PART

TRAINING OF DOGS

Exception: training of dogs

- (1) This section applies if a person—
 - (a) uses more than two dogs in order to train a juvenile dog for a lawful hunting purpose under this Act, and

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- (b) the conditions set out in subsection (2) are met.
- (2) The conditions are that—
 - (a) any dog involved in the activity is under control,
 - (b) permission for the activity has been given by the owner of the land on which the activity takes place,
 - (c) reasonable steps are taken to ensure that no wild mammal is pursued, injured or killed.>

Group 10: Court orders

Ariane Burgess

- 15 In section 16, page 14, line 5, at end insert—

- <() The court may not make—
 - (a) a deprivation order which involves the destruction of a dog or horse unless it is satisfied, on evidence provided (orally or in writing) by a veterinary surgeon, that destruction would be in the interests of the dog or horse,
 - (b) any other deprivation order unless it has considered the need to ensure the welfare of the dog or horse.>

Ariane Burgess

- 16 In section 16, page 14, line 32, leave out subsection (8)

Edward Mountain

- 98 In section 17, page 15, line 27, after <decides> insert—

- <() to make a disqualification order in relation to an offender's first conviction for a relevant offence, or
- ()>

Edward Mountain

- 99 In section 17, page 15, line 36, after <order,> insert <which must not be greater than—

- () in the case of an offender's first or second conviction for a relevant offence, 18 months,
- () in the case of an offender's third conviction for a relevant offence, three years, and
- () in the case of an offender's fourth or subsequent conviction for a relevant offence, such period as the court may determine,>

Ariane Burgess

- 17 In section 18, page 16, line 37, at end insert—

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<() The court may not make—

- (a) a seizure order which involves the destruction of a dog unless it is satisfied, on evidence provided (orally or in writing) by a veterinary surgeon, that destruction would be in the interests of the dog,
- (b) any other seizure order unless it has considered the need to ensure the welfare of the dog.>

Ariane Burgess

18 In section 18, page 17, line 20, leave out subsection (6)

Group 11: Crown application

Ariane Burgess

Supported by: Colin Smyth

105 Leave out section 25

Ariane Burgess

Supported by: Colin Smyth

106 In the schedule, page 23, line 13, after <land,> insert <including any Crown Land,>

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