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# Delegated Powers and Law Reform Committee Comataidh Cumhachdan Tiomnaichte is Ath-leasachadh Lagh

## Hunting with Dogs (Scotland) Bill: Stage 1



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# Delegated Powers and Law Reform Committee

The remit of the Delegated Powers and Law Reform Committee is to consider and report on the following (and any additional matter added under Rule 6.1.5A)—

- (a) any—
  - (i) subordinate legislation laid before the Parliament or requiring the consent of the Parliament under section 9 of the Public Bodies Act 2011;
  - (ii) [deleted]
  - (iii) pension or grants motion as described in Rule 8.11A.1; and, in particular, to determine whether the attention of the Parliament should be drawn to any of the matters mentioned in Rule 10.3.1;
- (b) proposed powers to make subordinate legislation in particular Bills or other proposed legislation;
- (c) general questions relating to powers to make subordinate legislation;
- (d) whether any proposed delegated powers in particular Bills or other legislation should be expressed as a power to make subordinate legislation;
- (e) any failure to lay an instrument in accordance with section 28(2), 30(2) or 31 of the 2010 Act;
- (f) proposed changes to the procedure to which subordinate legislation laid before the Parliament is subject;
- (g) any Scottish Law Commission Bill as defined in Rule 9.17A.1; and
- (h) any draft proposal for a Scottish Law Commission Bill as defined in that Rule.
- (i) any Consolidation Bill as defined in Rule 9.18.1 referred to it in accordance with Rule 9.18.3.



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# Committee Membership



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**Graham Simpson**  
Scottish Conservative  
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**Craig Hoy**  
Scottish Conservative  
and Unionist Party



**Paul Sweeney**  
Scottish Labour

# Introduction

1. At its meeting on 15 March 2022, the Delegated Powers and Law Reform Committee considered the delegated powers contained in the Hunting with Dogs (Scotland) Bill (“the Bill”) at Stage 1.<sup>i</sup>
2. The Committee submits this report to the lead Committee for the Bill under Rule 9.6.2 of Standing Orders.

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<sup>i</sup> The Bill as introduced is available [here](#)

## Overview of the Bill

3. This Scottish Government Bill was introduced by Michael Matheson MSP, Cabinet Secretary for Net Zero, Energy and Transport, on 24 February 2022. The Lead Committee is the Rural Affairs, Islands and Natural Environment Committee.
4. The Policy Memorandum states that the purpose of the Bill is to address widespread concerns that foxes and other wild mammals are being hunted (and killed) by dogs in contravention of the intention of the Protection of Wild Mammals (Scotland) Act 2002 (“2002 Act”). The Bill therefore places restrictions on the use of dogs, to seek to minimise the risk of wild mammals being caught and killed by dogs in the course of hunting.
5. The Bill repeals and replaces [the 2002 Act](#). The 2002 Act introduced the initial ban on hunting with dogs in Scotland. The Bill broadly maintains the core provisions of the 2002 Act, but further limits the circumstances in which hunting with dogs is permitted. The Bill also provides new enforcement powers. The Policy Memorandum states that the Act addresses inconsistencies and ambiguities in the language of the 2002 Act, to make the law easier to understand and to enforce.

## Delegated Powers

6. The Bill confers two powers to make subordinate legislation on the Scottish Ministers. The Scottish Government has prepared a Delegated Powers Memorandum which sets out the reasons for taking the delegated powers in the Bill and the parliamentary scrutiny procedure that has been chosen.<sup>ii</sup>
7. The Committee determined that it did not need to draw the attention of the Parliament to the delegated powers in either of the following provisions:
  - Section 21 – Ancillary provision; and
  - Section 26 – Commencement.

8. **The Committee is therefore content with the delegated powers provisions contained in the Bill.**

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<sup>ii</sup> The Delegated Powers Memorandum is available [here](#)



