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**AN BILLE UM FHIADHÚLRA (LEASÚ) 2010  
WILDLIFE (AMENDMENT) BILL 2010**

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*Mar a tionscnaíodh  
As initiated*

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**ARRANGEMENT OF SECTIONS**

Section

1. Definitions.
  2. Repeal of section 26(1) of Principal Act.
  3. Prohibition on deer hunting with dogs.
  4. Amendment of section 74 (penalties) of Principal Act.
  5. Short title and collective citation.
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ACTS REFERRED TO

Wildlife (Amendment) Act 2000  
Wildlife Act 1976

2000, No. 38  
1976, No. 39



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WILDLIFE (AMENDMENT) BILL 2010**

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# **BILL**

*entitled*

5 AN ACT TO AMEND THE WILDLIFE ACT 1976; AND TO  
PROVIDE FOR RELATED MATTERS.

BE IT ENACTED BY THE OIREACHTAS AS FOLLOWS:

1.—In this Act—

Definitions.

“Act of 2000” means the Wildlife (Amendment) Act 2000;

10 “Principal Act” means the Wildlife Act 1976.

2.—Subsection (1) of section 26 (amended by section 35 of the Act of 2000) of the Principal Act is repealed.

Repeal of section  
26(1) of Principal  
Act.

3.—The Principal Act is amended by the insertion of the following new section after section 23:

Prohibition on deer  
hunting with dogs.

15 “23A.—(1) In this section ‘deer’ includes a deer that is not a  
wild animal.

(2) Subject to subsection (3), a person, including the holder of a licence or permission granted under this Act, who hunts deer with two or more dogs shall be guilty of an offence.

20 (3) It shall not be an offence for a person to hunt deer with two or more dogs, pursuant to a permission granted under section 42 of this Act, where it is a term of such permission that dogs may be used to hunt deer.”.

25 4.—Section 74 (amended by section 68 of the Act of 2000) of the  
Principal Act is amended—

Amendment of  
section 74  
(penalties) of  
Principal Act.

(a) in subsection (1)—

(i) by the substitution of “under the *Wildlife Acts 1976 to 2010*” for “under the Wildlife Acts, 1976 and 2000”,

30 (ii) by the substitution, in paragraph (a), of “€1,000” for  
“£500”,

- (iii) by the substitution, in paragraph (b), of “€2,000” for “£1,000”, and
  - (iv) by the substitution, in paragraph (c), of “€5,000” for “£1,500”,
- (b) in subsection (2)— 5
- (i) by the substitution, in paragraph (a), of “€5,000” for “£1,500”, and
  - (ii) by the substitution, in paragraph (b), of “€100,000” for “£50,000”,
- (c) in subsection (3)— 10
- (i) by the substitution, in paragraph (i), of “€5,000” for “£1,500”, and
  - (ii) by the substitution, in paragraph (ii), of “€100,000” for “£50,000”,
- and 15
- (d) in subsection (3A)—
- (i) by the substitution, in paragraph (a), of “€5,000” for “£1,500”, and
  - (ii) by the substitution, in paragraph (b), of “€100,000” for “£50,000”. 20

Short title and collective citation.

**5.—(1)** This Act may be cited as the Wildlife (Amendment) Act 2010.

(2) The Wildlife Acts 1976 and 2000 and this Act may be cited together as the Wildlife Acts 1976 to 2010.



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**EXPLANATORY MEMORANDUM**

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The purpose of the Bill is to give legislative effect to the commitment in the renewed Programme for Government to ban the practice of stag hunting with a pack of hounds. The Bill also provides for increases in penalties for breaches of various provisions in the Wildlife Acts.

*Section 1* contains the usual provision dealing with definitions.

*Section 2* provides for the repeal of section 26(1) of the Wildlife Act 1976 which enables the Minister to grant a licence to the master of a pack of stag hounds to hunt deer with that pack.

*Section 3* provides for a new provision making it an offence to hunt deer using two or more dogs. This provision includes the hunting of deer by any holder of an appropriate hunting licence or permission granted under the Wildlife Acts. For the purposes of this section deer includes deer that are not wild animals. It shall not make it an offence where the person has been granted permission under Section 42 of the Wildlife Acts to use dogs to drive deer off land where they are causing serious damage to tree plantations or crops.

*Section 4* provides for increased penalties for offences under the Wildlife Acts. Maximum fines are being increased such that on summary conviction the maximum fine is increased to €1,000 from £500 for a first offence, to €2,000 from £1,000 for a second offence and to €5,000 from £1,500 for a third or subsequent offence. The maximum fine for conviction on indictment is increased to €100,000 from £50,000. These fines were last increased in 2000. There are no changes in maximum times of imprisonment terms.

*Section 5* contains the standard provisions relating to the short title and collective citation.

*An Roinn Comhshaoil, Oidhreachta agus Rialtais Áitiúil,  
Aibreán, 2010.*