

// NEW SEAL CONSERVATION LEGISLATION



PHOTOGRAPH BY LINDSAY WILSON SMRU © CROWN COPYRIGHT

Background

Under the EU Habitats Directive, Scotland has a duty to protect its iconic seal populations. We have more seals than the rest of the European Union (186,000 grey seals and around 19,000¹ common seals), thus representing a significant conservation success.

Such large numbers of seals can lead to some local conflicts between individual seals and fisheries or fish farms. This necessitates sustainable seal management to protect fisheries and fish farms, either through non-lethal measures or, where necessary, lethal measures as a last resort.

Seals in the Marine (Scotland) Act 2010

The Marine (Scotland) Act (hereafter 'the Act') sets out provisions that will significantly improve the level of protection offered to seals in Scotland. It will repeal the outdated Conservation of Seals Act 1970, which allows unregulated shooting of seals.

Key Provisions of the Act will:

- Increase overall protection for seals by making it an offence to kill or take any seal at any time, except under specific licence or for reasons of animal welfare.

- Introduce a new offence of harassment of seals at listed haul-out sites.
- Remove the old 'netsmen's defence' option, which allowed seals to be shot at any time, regardless of close seasons and conservation orders.
- Place all those undertaking seal management (aquaculture, fisheries and netsmen) on an equal footing.
- Provide a framework for licensing to include purposes for which licences may be issued and licence conditions that address conservation and animal welfare issues.
- Increase the penalties for any breaches of the law to bring these into line with other wildlife legislation.
- Introduce a requirement to report the killing or taking of seals to allow population impacts to be monitored.

1 Figures from the Special Committee on Seals Report 2009



PHOTOGRAPH BY TOM MCINNES © CROWN COPYRIGHT



PHOTOGRAPH BY DAVID HAY © CROWN COPYRIGHT



PHOTOGRAPH BY DAVID HAY © CROWN COPYRIGHT

Implications for future seal management

All future seal management will be properly regulated under licence. All fisheries and fish farms, who require to manage seal predation, will have to apply for a seal licence (see Topic Sheet 77 *New Seal Licensing System* on the new seal licensing system and instructions on how to apply for a licence).

Timescale for implementation

Summer 2010

Marine Scotland to publish documents to support new seal licensing system and associated publicity material.

Summer/Autumn 2010

Marine Scotland seal management workshops to raise awareness of the new legislation and licence system.

1 September 2010

Licensing sections of the Act come into effect to:

- allow early applications in advance of the closing date (15 November 2010) to allow sufficient time to address questions, provide assistance and allow collection of required data.
- allow Marine Scotland time to consult appropriate statutory advisors – Sea Mammal Research Unit, Scottish Natural Heritage and Marine Scotland Science.

End January 2011

Main provisions of the legislation come into effect and new seal licences come into operation.

Until 31 January 2011, the existing Conservation of Seals Act 1970 remains in effect.

Register online at www.scotland.gov.uk to receive the latest email news alerts, daily digest, weekly roundup or topic newsletters.

© CROWN COPYRIGHT MARINE SCOTLAND 2010

MARINE SCOTLAND

Marine Planning and Policy Team
Victoria Quay, Edinburgh EH6 6QQ
www.scotland.gov.uk/marinescotland