

1975 No. 2223**ANIMALS****DESTRUCTIVE ANIMALS****The Mink (Keeping) Regulations 1975**

Made - - - - 18th December 1975

Coming into Operation 1st January 1976

The Minister of Agriculture, Fisheries and Food, the Secretary of State for Scotland and the Secretary of State for Wales, acting jointly, in exercise of the powers conferred on them by section 2(a), (b) and (c) of the Destructive Imported Animals Act 1932(a) as applied in relation to mink by the Mink (Keeping) Order 1972(b) and now vested in them (c), and of all other powers enabling them in that behalf, with the approval of the Treasury, hereby make the following regulations:—

Citation and commencement

1. These regulations may be cited as the Mink (Keeping) Regulations 1975 and shall come into operation on 1st January 1976.

Revocation of previous regulations

2. The regulations specified in Schedule 1 to these regulations are hereby revoked.

Interpretation

3.—(1) In these regulations, unless the context otherwise requires—

“the Act” means the Destructive Imported Animals Act 1932;

“cage-trap” means a cage, trap or box designed or adapted for the catching alive of mink;

“mink” means the animal of the species designated *Mustela vison*.

(2) The Interpretation Act 1889(d) shall apply to the interpretation of these regulations as it applies to the interpretation of an Act of Parliament and as if these regulations and the regulations hereby revoked were Acts of Parliament.

Manner of keeping mink and precautions against escape

4.—(1) Any mink kept under a licence granted in accordance with section 3 of the Act as applied in relation to mink by the Mink (Keeping) Order 1972

(a) 1932 c. 12.

(b) S.I. 1972/1784 (1972 III, p. 5155).

(c) In the case of the Secretary of State for Wales by virtue of Article 3(1) of, and paragraph 5(a) of Schedule 2 to, the Transfer of Functions (Wales) Order 1969 (S.I. 1969/388; 1969 I, p. 1070).

(d) 1889 c. 63.

shall, when not in the course of being transported from place to place, be confined in the manner and subject to the precautions set out in Schedule 2 to these regulations.

(2) No mink shall be transported from place to place except in closed cages or other containers constructed in such manner and of such materials as to prevent their escape.

(3) In any particular case the requirements referred to in Schedule 2 may be modified, and further requirements imposed, by the aforesaid licence according to the nature and situation of the premises at which the mink are to be kept, and in respect of premises at which mink are being kept on the 1st January 1976 according to any existing precautions to prevent the escape of mink.

Licences

5.—(1) A licence authorising the keeping of mink, granted in accordance with section 3 of the Act, shall be in the form set out in Schedule 3 to these regulations or in a form to the like effect, and shall be subject to the terms and conditions therein mentioned.

(2) A licence granted as aforesaid shall, subject to section 3(b) of the Act, be granted for a period not exceeding 12 months.

(3) On the granting of a licence in accordance with section 3 of the Act there shall be paid to the Minister of Agriculture, Fisheries and Food or to the Secretary of State for Scotland, as the case may be, a fee of £19.

In Witness whereof the official seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 17th December 1975.

(L.S.)

Frederick Peart,
Minister of Agriculture, Fisheries and Food.

18th December 1975. *William Ross,*
Secretary of State for Scotland.

18th December 1975. *John Morris,*
Secretary of State for Wales.

Approved on 18th December 1975. *M. Cocks,*
J. Dormand,
Two of the Lords' Commissioners
of Her Majesty's Treasury.

Regulation 2

SCHEDULE 1

| Regulations revoked | References |
|--|-------------------------------------|
| The Mink (Keeping) Regulations 1967 | S.I. 1967/1872 (1967 III, p. 5082). |
| The Mink (Keeping) (Amendment) Regulations 1968 | S.I. 1968/2007 (1968 III, p. 5444). |
| The Mink (Keeping) (Amendment) Regulations 1971 | S.I. 1971/2071 (1971 III, p. 6143). |

Regulation 4

SCHEDULE 2

MANNER IN WHICH MINK ARE TO BE CONFINED AND PRECAUTIONS
TO BE OBSERVED

(1) Mink shall be kept in cages or other containers constructed from such materials and in such manner as to prevent escape. Such cages or other containers shall be kept within an enclosure or building which satisfies the requirements of these regulations.

(2) Enclosures shall be bounded by a guard fence consisting of wire netting of not less than 19 gauge with a mesh not greater than 26 mm. The fence shall be not less than 1.20 m. high above ground level. The base of the fence shall be buried in the ground to a depth of at least 300 mm. and turned outwards at the bottom at right angles for at least 150 mm. or shall be embedded in a trench of the same depth the bottom of which shall be provided with a foundation at least 150 mm. wide on each side and at least 150 mm. deep of either concrete or of consolidated hard core of brick or concrete rubble or of similar solid and durable material. At the top of the fence there shall be flat sheet metal at least 300 mm. deep securely attached to the inside of the wire netting and to any fence posts inside the enclosure so as to form a continuous baffle leaving no gap between the wire and the sheet metal.

(3) Such parts of buildings as are not constructed in such a manner and of such materials as to prevent the escape of mink shall be enclosed with wire netting of not less than 19 gauge with a mesh not greater than 26 mm. The base of the wire netting shall be dealt with as required in paragraph (2) for the base of guard fencing.

(4) Gates and doors leading through guard fences surrounding enclosures or buildings shall close tightly on to a threshold or sill with a base consisting of wire netting buried in the ground and provided with a foundation as required in paragraph (2) for the base of guard fencing.

(5) No objects shall be placed within 1.20 m. of the inside of the guard fence of any enclosure in which mink are kept other than—

- (i) nest boxes or cages not more than 300 mm. in height, or
- (ii) cage-traps not more than 300 mm. in height.

(6) In every enclosure or building in which mink are kept there shall be placed and maintained one or more, up to a maximum of 10, cage-traps as follows:—

- (i) where not more than 400 mink are so kept, one cage-trap and
- (ii) where more than 400 mink are so kept, one cage-trap for each complete number of 400 mink and one additional cage-trap for any remaining mink:

Provided that, subject to the aforesaid maximum, this requirement shall not preclude the placing and maintaining of cage-traps in excess of those required as above.

(7) The area immediately outside a guard fence shall be kept clear of undergrowth to a distance of at least 900 mm. from the guard fence, except where it appears to the Minister of Agriculture, Fisheries and Food, the Secretary of State for Scotland or, as respects Wales, the Minister of Agriculture, Fisheries and Food and the Secretary of State for Wales, acting jointly, as the case may be, that compliance with this requirement may for any reason be dispensed with.

(8) A strip of at least 1·20 m. in width along the inside of the guard fence shall be kept clear of undergrowth.

(9) Where trees are growing within a guard fence, a baffle of sheet metal at least 300 mm. deep shall encircle the trunk of each tree of which the branches overhang or are within 1·20 m. of the guard fence. The bottom edge of the baffle shall be approximately 1·20 m. from the ground and it shall be fixed in such a way as to prevent mink from climbing between the baffle and the tree trunk. The tree shall be kept trimmed of branches growing or hanging below the baffle.

(10) Steps shall be taken to destroy as far as practicable any rats on the premises of the licence-holder in and adjoining any enclosure or building containing mink. Rat holes or other holes through which mink could escape from such premises shall be effectively blocked. Any drainage channels on such premises shall be adequately guarded to prevent mink from escaping.

Regulation 5

SCHEDULE 3

FORM OF LICENCE AUTHORISING THE KEEPING OF MINK

*Destructive Imported Animals Act 1932**The Mink (Keeping) Regulations 1975*

1. of
 (hereinafter called "the holder") is
 hereby authorised to keep mink at

2. This licence is granted subject to compliance by the holder with the requirements set out in regulation 4(1) and (2) of, and Schedule 2 to, the above-mentioned regulations modified in the following respects:—

.....

3. The holder shall inform persons to whom he disposes of mink of their obligation to obtain a licence to keep them.

4. The holder shall give notice to the appropriate Department of any change in the occupancy of any premises at which mink are kept under the authority of this licence and if mink cease to be kept at any such premises.

5. The holder, within seven days of being so required by the appropriate Department, shall make a return in writing to the said Department, stating the number of each sex of mink kept by him under the authority of this licence on such date as may be specified.

6. The holder shall give notice in writing to the appropriate Department of any proposed alteration to a guard fence or to a baffle attached to a guard fence at least 14 days before the day on which he proposes to make the alteration.

7. If any mink shall escape, the holder shall forthwith give notice to the appropriate Department at the following address:—

Address

8. This licence may be revoked if it is shown to the satisfaction of

 that the holder has failed to comply with any term of this licence or the requirements of the above-mentioned regulations or has been convicted of an offence under the above-mentioned Act.

9. The holder shall at all reasonable times permit any person duly authorised in that behalf by

 upon production of his authority if so required, to enter and inspect any land occupied by the holder at which he is entitled to keep mink under the authority of this licence.

10. The holder shall comply with the following further requirements and conditions:

11. This licence shall, subject to paragraph 8, be in force from
 to (both dates inclusive).

12. In this licence "the appropriate Department" means, as respects England and Wales, the Ministry of Agriculture, Fisheries and Food and, as respects Scotland, the Department of Agriculture and Fisheries for Scotland.

Dated this

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for and on behalf of

[Here set out Regulation 4(1) and (2) of, and Schedule 2 to, the Mink (Keeping) Regulations 1975.]

EXPLANATORY NOTE

(This Note is not part of the regulations.)

These regulations supersede the Mink (Keeping) Regulations 1967 as amended. The regulations prescribe the manner in which mink are to be kept in Great Britain and the precautions to be taken to prevent their escape. They substitute the approximate metric measurements for the imperial measurements referred to in the previous regulations and they also increase the fee for a licence to keep mink from £10 to £19.

These regulations will not necessitate any alteration to cages, enclosures, buildings, gates, doors or other constructions which were constructed in accordance with the previous regulations.

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