
STATUTORY INSTRUMENTS

2009 No. 2166

ANIMALS, ENGLAND
PREVENTION OF CRUELTY

The Spring Traps Approval (Variation) (England) Order 2009

Made - - - - *5th August 2009*
Coming into force - - *1st October 2009*

The Secretary of State makes the following Order in exercise of the powers conferred by section 8(3) and (7) of the Pests Act 1954⁽¹⁾ and now vested in the Secretary of State⁽²⁾.

Citation, commencement and application

1. This Order—
 - (a) may be cited as the Spring Traps Approval (Variation) (England) Order 2009;
 - (b) comes into force on 1st October 2009; and
 - (c) applies in relation to England only⁽³⁾.

Variation of the Spring Traps Approval Order 1995

2. Part 2 (England) of the Schedule to the Spring Traps Approval Order 1995⁽⁴⁾ is varied as follows—
 - (a) in the entry for the DOC 200 trap, in Column (2) (conditions), after “grey squirrels,” insert “mink,”;
 - (b) in the entry for the DOC 250 trap, in Column (2), after “grey squirrels,” insert “mink, rabbits,”;
 - (c) after the entry for the Nooski trap, insert the following two entries—

(1) 1954 c. 68.
(2) The functions of the Minister of Food were transferred to the Minister of Agriculture and Fisheries (and that Minister was given the title “Minister of Agriculture, Fisheries and Food”) by S.I. 1955/554. The functions of the Minister of Agriculture, Fisheries and Food were transferred to the Secretary of State by S.I. 2002/794.
(3) The powers under section 8(3) and (7) of the Pests Act 1954 are devolved, in relation to Wales, to the Welsh Ministers: see the reference to the Pests Act 1954 in Schedule 1 to the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672), and paragraphs 30 and 32 of Schedule 11 to the Government of Wales Act 2006 (c. 32).
(4) S.I. 1995/2427, as varied by S.I. 2007/2708.

*in Column (1)**Type and make of trap*

“**Nooski mouse trap** manufactured by or under the authority of Nooski Trap Systems, 50 White Street, Rotorua, New Zealand.

Skinns Superior Squirrel Trap manufactured by or under the authority of E. Skinns Ltd., Witham Road, Woodhall Spa, Lincolnshire, LN10 6QX.

*in Column (2)**Conditions*

The trap shall be used only for the purpose of killing mice.

The trap must be set in a natural or artificial tunnel which is suitable for minimising the chances of injuring or killing non-target species whilst not compromising the capture and killing of target species.

The trap shall be used only for the purpose of killing grey squirrels.

The trap must be set in a natural or artificial tunnel which is suitable for minimising the chances of injuring or killing non-target species whilst not compromising the capture and killing of target species.”;

(d) after the entry for the Solway Spring Trap Mk 6, insert the following two entries—

*in Column (1)**Type and make of trap*

“**WCS Collarum** manufactured by or under the authority of Wildlife Control Supplies, LLC, P.O. Box 538, East Granby, CT 06026, USA.

WCS Tube Trap manufactured by or under the authority of Wildlife Control Supplies, LLC, P.O. Box 538, East Granby, CT 06026, USA.

*in Column (2)**Conditions*

The trap shall be used only for the purpose of restraining foxes.

The trap shall be used only for the purpose of killing grey squirrels, mink, rats, stoats and weasels.

The trap must be set in the tunnel provided by the manufacturer of the trap for use in the UK and must be used in accordance with the instructions (if any) provided by the manufacturer.”.

5th August 2009

Huw Irranca-Davies
Parliamentary Under Secretary of State
Department for Environment, Food and Rural
Affairs

EXPLANATORY NOTE

(This note is not part of the Order)

This Order varies the Spring Traps Approval Order 1995 (“the 1995 Order”) in relation to England only.

Under section 8 of the Pests Act 1954 (c. 68), it is an offence to use or knowingly to permit the use of any spring trap, other than a trap that has been approved by Order, for animals or in circumstances for which it is not approved. The 1995 Order approves types of spring trap for use in England and Wales, or (in some cases) for use in England only.

This Order adds four types of spring trap to those approved for use in England: the Nooski mouse trap, the Skinns Superior Squirrel Trap, the WCS Collarum and the WCS Tube Trap (*article 2(c) and (d)*). It also adds to the target species against which two of the traps previously approved (for use in England) may be used: the DOC 200 trap may now also be used for mink (*article 2(a)*), and the DOC 250 trap may now also be used for mink and rabbits (*article 2(b)*).

An impact assessment has not been produced for this instrument as it has no impact on the costs of business or the voluntary sector.