

2012 No. 13

ANIMALS, ENGLAND

PREVENTION OF CRUELTY

The Spring Traps Approval (England) Order 2012

Made - - - - *4th January 2012*

Coming into force - - *15th February 2012*

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^(a) and now vested in the Secretary of State^(b).

Citation, commencement and application

1. This Order—

- (a) may be cited as the Spring Traps Approval (England) Order 2012;
- (b) comes into force on 15th February 2012; and
- (c) applies in relation to England only^(c).

Approval of Spring Traps

2.—(1) For the purposes of section 8(3) of the Pests Act 1954, the following spring traps are approved, namely—

- (a) any spring trap of a type and make specified in any entry in Column 1 of the Schedule; and
- (b) any spring trap which is equivalent in all relevant respects to a spring trap of a type and make specified in any entry in Column 1 of the Schedule.

(2) The approvals given by paragraph (1) are subject in all cases to the conditions that —

- (a) the trap must be used in accordance with the instructions (if any) provided by the manufacturer; and
- (b) so far as is practicable without unreasonably compromising its use for killing or taking target species, the trap must be used in a manner that minimises the likelihood of its killing, taking or injuring non-target species;

and to such further conditions (if any) as to the animals for which, and the circumstances in which, the spring trap may be used as are specified in the corresponding entry in Column 2 of the

(a) 1954 c. 68.

(b) The Minister of Agriculture and Fisheries was re-named “the Minister of Agriculture, Fisheries and Food” upon the transfer to that Minister of the functions of the Minister of 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.

(c) 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).

Schedule (or, in the case of a trap approved under the equivalence provision in paragraph (1)(b), as are so specified in relation to the trap to which it is equivalent).

(3) For the purposes of paragraph (1)(b), a spring trap is equivalent in all relevant respects to a spring trap of a type and make specified in the Schedule if it corresponds to the spring trap so specified in construction, in materials, in impact force or momentum, and in all other respects which are relevant to its effect or manner of operation as a trap.

Revocations

3. The following instruments are revoked—

- (a) the Spring Traps Approval Order 1995(a);
- (b) the Spring Traps Approval (Variation) (England) Order 2007(b);
- (c) the Spring Traps Approval (Variation) (England) Order 2009(c);
- (d) the Spring Traps Approval (Variation) (England) Order 2010(d).

4th January 2012

Taylor of Holbeach
Parliamentary Under Secretary of State
Department for Environment, Food and Rural Affairs

(a) S.I. 1995/2427, as varied (in relation to England) by S.I. 2007/2708, 2009/2166, 2010/2882; the instrument was revoked in so far as it applied to Wales by S.I. 2010/2447.
(b) S.I. 2007/2708.
(c) S.I. 2009/2166.
(d) S.I. 2010/2882.

THE SCHEDULE

article 2

<i>Column 1</i> <i>Type and make of trap</i>	<i>Column 2</i> <i>Conditions</i>
<p>Aldrich Spring Activated Animal Snare manufactured by or under the authority of Mr D. Schimetz, P.O. Box 158, Sekiu, Washington 98381, USA.</p>	<p>The trap may be used only for the purpose of taking large, non-indigenous, mammalian carnivores.</p>
<p>BMI Magnum 55 manufactured by or under the authority of Butera Manufacturing Industries, 1068 E 134th St., Cleveland, OH, 44110-2248, USA.</p>	<p>The trap may be used only for the purpose of killing rats, mice and other small ground vermin (except for those species listed in Schedules 5 and 6 to the Wildlife and Countryside Act 1981^(a)).</p> <p>The trap must be set in a natural or artificial tunnel which is, in either case, suitable for the purpose.</p>
<p>BMI Magnum 110 manufactured by or under the authority of Butera Manufacturing Industries, 1068 E 134th St., Cleveland, OH, 44110-2248, USA.</p>	<p>The trap may be used only for the purpose of killing grey squirrels, stoats, weasels, rats, mice and other small ground vermin (except for those species listed in Schedules 5 and 6 to the Wildlife and Countryside Act 1981).</p> <p>The trap must be set in a natural or artificial tunnel which is, in either case, suitable for the purpose.</p>
<p>BMI Magnum 116 manufactured by or under the authority of Butera Manufacturing Industries, 1068 E 134th St., Cleveland, OH, 44110-2248, USA.</p>	<p>The trap may be used only for the purpose of killing grey squirrels, mink, rabbits, stoats, weasels, rats, mice and other small ground vermin (except for those species listed in Schedules 5 and 6 to the Wildlife and Countryside Act 1981).</p> <p>The trap must be set in a natural or artificial tunnel which is, in either case, suitable for the purpose.</p>
<p>DOC 150 manufactured by or under the authority of the Department of Conservation, Wellington, New Zealand.</p>	<p>The trap may be used only for the purpose of killing grey squirrels, rats, stoats and weasels.</p> <p>The trap must be set in an artificial tunnel constructed to the design specified by the Department of Conservation.</p>
<p>DOC 200 manufactured by or under the authority of the Department of Conservation, Wellington, New Zealand.</p>	<p>The trap may be used only for the purpose of killing grey squirrels, mink, rats, stoats and weasels.</p> <p>The trap must be set in an artificial tunnel constructed to the design specified by the Department of Conservation.</p>
<p>DOC 250 manufactured by or under the authority of the Department of Conservation,</p>	<p>The trap may be used only for the purpose of killing grey squirrels, mink, rabbits, rats, stoats</p>

(a) 1981 c. 69.

Wellington, New Zealand.

Fenn Rabbit Trap Mark I manufactured by or under the authority of Mr A.A. Fenn of FHT Works, High Street, Astwood Bank, Redditch, Worcestershire.

Fenn Vermin Trap Mark I, Fenn Vermin Trap Mark II, Fenn Vermin Trap Mark III and Fenn Vermin Trap Mark IV (Heavy Duty) manufactured by or under the authority of Mr A.A. Fenn of FHT Works, High Street, Astwood Bank, Redditch, Worcestershire and specified in British Patent Specification No.763,891 and as illustrated in figures 1 to 3 of that Specification.

Fenn Vermin Trap Mark VI (Dual Purpose) manufactured by or under the authority of Mr A.A. Fenn of FHT Works, High Street, Astwood Bank, Redditch, Worcestershire and specified in British Patent Specification No.763,891.

Fuller Trap manufactured by or under the authority of Fuller Industries, Three Trees, Loxwood Road, Bucks Green, Rudgwick, Sussex.

Imbra Trap Mark I and Imbra Trap Mark II manufactured by or under the authority of James S. Low and Sons Ltd., Atholl Smithy, Atholl Street, Blairgowrie, Perthshire and specified in British Patent Specification No.682,427 and as illustrated in figures 1 to 4 of that Specification.

Juby Trap manufactured by or under the authority of the Ministry of Agriculture, Fisheries and Food, Whitehall Place, London SW1 and specified in British Patent Specification No.813,066 and as illustrated in figures 1 to 3 of that Specification.

and weasels.

The trap must be set in an artificial tunnel constructed to the design specified by the Department of Conservation.

The trap may be used only for the purpose of killing rabbits.

The trap must be set in a natural or artificial tunnel which is, in either case, suitable for the purpose.

The traps may be used only for the purpose of killing grey squirrels, stoats, weasels, rats, mice and other small ground vermin (except for those species listed in Schedules 5 and 6 to the Wildlife and Countryside Act 1981).

The traps must be set in natural or artificial tunnels which are, in either case, suitable for the purpose.

The trap may be used only for the purpose of killing grey squirrels, mink, rabbits, stoats, weasels, rats, mice and other small ground vermin (except for those species listed in Schedules 5 and 6 to the Wildlife and Countryside Act 1981).

The trap must be set in a natural or artificial tunnel which is, in either case, suitable for the purpose.

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

The trap must be set within the housing provided by the manufacturer.

The traps may be used only for the purpose of killing grey squirrels, rabbits, stoats, weasels, rats, mice and other small ground vermin (except for those species listed in Schedules 5 and 6 to the Wildlife and Countryside Act 1981).

The traps must be set in natural or artificial tunnels which are, in either case, suitable for the purpose.

The trap may be used only for the purpose of killing grey squirrels, rabbits, stoats, weasels, rats, mice and other small ground vermin (except for those species listed in Schedules 5 and 6 to the Wildlife and Countryside Act 1981).

The trap must be set in a natural or artificial tunnel which is, in either case, suitable for the purpose.

Kania Trap 2000 manufactured by or under the authority of Kania Industries Inc., 63 Centennial Road, British Columbia, V9R 6N6, Canada.

The trap may be used only for the purpose of killing grey squirrels, mink, stoats, weasels, rats, mice and other small ground vermin (except for those species listed in Schedules 5 and 6 to the Wildlife and Countryside Act 1981).

The trap must be set within the housing provided by the manufacturer.

Kania Trap 2500 manufactured by or under the authority of Kania Industries Inc., 63 Centennial Road, British Columbia, V9R 6N6, Canada.

The trap may be used only for the purpose of killing grey squirrels, mink, rabbits, stoats, weasels, edible dormice (*glis glis*)(a), rats and mice.

The trap must be set in a natural or artificial tunnel which is, in either case, suitable for the purpose.

Lloyd Trap manufactured under the authority of the National Research Corporation and specified in British Patent Specification No.987,113 and as illustrated in figures 1 to 3 of that Specification.

The trap may be used only for the purpose of killing grey squirrels, stoats, weasels, rats, mice and other small ground vermin (except for those species listed in Schedules 5 and 6 to the Wildlife and Countryside Act 1981).

The trap must be set in a natural or artificial tunnel which is, in either case, suitable for the purpose.

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

The trap may be used only for the purpose of killing rats.

The trap must be set within the housing and artificial tunnel provided by the manufacturer.

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

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

The trap must be set within the housing and artificial tunnel provided by the manufacturer.

Sawyer Trap manufactured by or under the authority of James S. Low and Sons Ltd., Atholl Smithy, Atholl Street, Blairgowrie, Perthshire.

The trap may be used only for the purpose of killing grey squirrels, stoats, weasels, rats, mice and other small ground vermin (except for those species listed in Schedules 5 and 6 to the Wildlife and Countryside Act 1981).

The trap must be set in a natural or artificial tunnel which is, in either case, suitable for the purpose.

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

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

The trap must be set in a natural or artificial tunnel which is, in either case, suitable for the purpose.

(a) See, however, section 11(2)(b) of, and Schedule 6 to, the Wildlife and Countryside Act 1981. By virtue of those provisions, whether or not the trap in question is approved by this Order, it is an offence to use any trap for the purpose of taking or killing any dormouse, except pursuant to a licence granted by the appropriate authority under section 16 of that Act.

Solway Spring Trap Mk4 manufactured by or under the authority of Solway Feeders Ltd., Main Street, Dundrennan, Kirkcudbright, DG6 4QH.

The trap may be used only for the purpose of killing grey squirrels, stoats, weasels, edible dormice (*glis glis*)(a), rats and mice. The trap must be set in a natural or artificial tunnel which is, in either case, suitable for the purpose.

Solway Spring Trap Mk6 manufactured by or under the authority of Solway Feeders Ltd., Main Street, Dundrennan, Kirkcudbright, DG6 4QH.

The trap may be used only for the purpose of killing grey squirrels, mink, rabbits, stoats, weasels, edible dormice (*glis glis*)(b), rats and mice. The trap must be set in a natural or artificial tunnel which is, in either case, suitable for the purpose.

Springer No.4 Multi-purpose (Heavy Duty) manufactured by or under the authority of AB County Products Ltd., Unit 3, Wellington Works, 15 The High Street, Redditch, Worcestershire.

The trap may be used only for the purpose of killing grey squirrels, stoats, weasels, rats, mice and other small ground vermin (except for those species listed in Schedules 5 and 6 to the Wildlife and Countryside Act 1981). The trap must be set in a natural or artificial tunnel which is, in either case, suitable for the purpose.

Springer No.6 Multi-purpose manufactured by or under the authority of AB County Products Ltd., Unit 3, Wellington Works, 15 The High Street, Redditch, Worcestershire.

The trap may be used only for the purpose of killing grey squirrels, mink, rabbits, stoats, weasels, rats, mice and other small ground vermin (except for those species listed in Schedules 5 and 6 to the Wildlife and Countryside Act 1981). The trap must be set in a natural or artificial tunnel which is, in either case, suitable for the purpose.

VS squirrel trap manufactured by, or under licence from, Pescon Services, 394 York Road, Stevenage, Hertfordshire, SG1 4EN

The trap may be used only for the purpose of killing grey squirrels. The trap must be set within the artificial tunnel provided by the manufacturer.

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

The trap may be used only for the purpose of taking foxes.

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

The trap may be used only for the purpose of killing grey squirrels, mink, stoats, weasels and rats. The trap must be set within the artificial tunnel provided by the manufacturer for use in the UK.

WiseTrap 110 (article number 100110 or

The trap may be used only for the purpose of

(a) See footnote (a) on p.5.

(b) See footnote (a) on p.5.

110110), **WiseTrap 160** (article number 100160, 110160, 101160 or 111160), **WiseTrap 200** (article number 100200, 110200, 101200 or 111200), and **WiseTrap 250** (article number 101250 or 111250) manufactured by WiseCon A/S, Skovgaardsvej 25, DK-3200 Helsingør, Denmark.

killing rats.

The trap must be set within a sewer, drainpipe, or similar structure.

EXPLANATORY NOTE

(This note is not part of the Order)

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.

This Order revokes and replaces the Spring Traps Approval Order 1995 (S.I. 1995/2427), which approved types of spring trap for use in England and Wales (and which has subsequently been revoked in so far as it applied to Wales) and three subsequent variation Orders which applied in respect of England only (*article 3*).

Article 2 specifies approved traps, namely those listed in Column 1 of the Schedule and others which are equivalent in all relevant respects to those so listed. Conditions attached to the approval of each type of trap are specified in Column 2 of the Schedule.

An impact assessment has not been produced for this instrument as no impact on the private or voluntary sector is foreseen.

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