

Order laid before the Assembly under Article 29(2) of the Wildlife (NI) Order 1985, and subject to affirmative resolution procedure of the Assembly

STATUTORY RULES OF NORTHERN IRELAND

2015 No. 352

WILDLIFE

The Snares Order (Northern Ireland) 2015

Made - - - - 6th October 2015

Coming into operation in accordance with Article 1.

This Order is made in exercise of the powers conferred by Article 12(2F) of the Wildlife (Northern Ireland) Order 1985 (1).

In accordance with Article 29(3) of the 1985 Order the Department of the Environment (2)—

- (a) has consulted the Council for Nature Conservation and the Countryside; and
- (b) has consulted any district council or other person affected and taken into consideration any objections or representations duly received.

Accordingly the Department makes the following Order:

Citation, commencement and interpretation.

1.—(1) This Order may be cited as the Snares Order (Northern Ireland) 2015, and shall come into operation on the day after that on which it is affirmed by resolution of the Assembly.

(2) In this Order “the 1985 Order” means the Wildlife (Northern Ireland) Order 1985.

Setting and using snares

2. A snare is to be treated as having been used in a manner which constitutes an offence under Article 12(2F) of the 1985 Order if it is used or caused or permitted to be used otherwise than in accordance with regulations 3 to 6.

Check that snares are free-running.

3.—(1) Any person who sets a snare in position must, while it remains in position, check that it is free-running or cause it to be checked at least once every day.

(1) 1985 No.171 (N.I.2)

(2) S.R. & O. (N.I.) 1972 No. 252; S.R. & O. (N.I.) 1973 No. 504 Art. 7; S.I. 1976/424 (N.I.6) Art. 3

(2) Any person who, while carrying out such a check, finds that the snare is not free-running, must remove the snare or restore it to a state in which it is free-running.

(3) In this paragraph a snare is “free-running” if—

- (a) it is not self-locking;
- (b) it is not capable (whether because of rust, damage or other condition or matter) of locking; and
- (c) subject only to the restriction on such movement created by the stop fitted in accordance with regulation 4(2) and (3), the noose of the snare is able at all times freely to become wider or tighten (and is not prevented from doing so whether because of rust, damage or other condition or matter other than the stop).

Snare stops and swivels

4.—(1) A person who sets in position or otherwise uses a snare must ensure that the snare is fitted with a stop which complies with this regulation.

(2) The stop must be capable of preventing the noose of the snare closing beyond the stop.

(3) Where the person intends to use the snare to catch foxes, the snare must be fitted with a stop which is capable of preventing the noose of the snare reducing in circumference to less than 23 centimetres.

(4) A person who sets in position or otherwise uses a snare must ensure that the snare incorporates a swivel to facilitate twisting by any animal caught by the snare.

Snare anchors

5.—(1) A person who sets a snare in position must—

- (a) stake it to the ground, or
- (b) attach it to an object,

in a manner which will prevent the snare being dragged by an animal caught by it.

Location of snares

6. A person must not set a snare in a place or in such manner where an animal caught by the snare is likely to—

- (a) become fully or partially suspended, or
- (b) drown.

Sealed with the Official Seal of the Department of the Environment on 6th October 2015.



Dave Foster
A senior officer of the Department of the
Environment

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order makes provision about the use of snares.

Regulation 2 specifies that it is an offence under Article 12(2F) of the Wildlife (Northern Ireland) Order 1985 to set or use, or cause or permit a snare to be set or used, otherwise in accordance with the requirements specified in regulations 3 to 6.

Regulation 3 requires someone who sets a snare to check or cause it to be checked that it remains free-running every 24 hours. Anyone who finds that the snare is not free-running must remove it or fix it to ensure it is free-running.

Regulation 4 requires a stop to be fixed to a snare before it is used and stipulates the necessary technical requirements. The Regulation also requires all snares to be fitted with a swivel.

Regulation 5 requires a snare to be staked in place or attached to another object to prevent it from being dragged.

Regulation 6 specifies that a snare is to be treated as having been set in such a manner which constitutes an offence under Regulation 2 if it is set in a location where a snared animal could become suspended or drown.