

EXPLANATORY MEMORANDUM TO

The Snares (Northern Ireland) Order 2015

SR 2015 No. 352

1. Introduction

- 1.1. This Explanatory Memorandum has been prepared by the Department of the Environment to accompany the Statutory Rule (details above) which is laid before the Northern Ireland Assembly.
- 1.2. The Statutory Rule is made under Article 12(2F) of the Wildlife (Northern Ireland) 1985 and is subject to the affirmative resolution procedure.

2. Purpose

- 2.1. The purpose of the statutory rule will be to define certain requirements that users of snares must adhere to in terms of the technical design and functioning of snares and how they are used. For example, the statutory rule will make it a requirement that all snares should be fitted with permanent safety stops which prevent the noose closing too far and inflicting injury to the captured animal.

3. Background

- 3.1. The use of snares in Northern Ireland is regulated by the Wildlife (Northern Ireland) Order 1985 ('the 1985 Order'). Amendments to the 1985 Order in 2011 gave the Department powers to introduce further controls on the use of snares through subordinate legislation. The purpose of the existing controls on the use of snares and those proposed under the proposed statutory rule is to promote best practice in how snares should be used, and achieve an effective balance between ensuring the humane treatment of animals and the practical needs of good land management.

4. Consultation

- 4.1. Eighteen responses were received to the public consultation, three of which were nil responses.
- 4.2. Nine respondents broadly supported the consultation's proposals. Four respondents offered reluctant support to the principles of the proposals in the absence of a total ban on the use of snares. Two respondents representing animal welfare interests are broadly opposed to the proposals and wish to see the use of snares banned.

5. Equality Impact

- 5.1. There are no equality impact implications arising from the Order.

6. Regulatory Impact

- 6.1. The impacts of these Regulations are technical updates and are not expected to place any direct additional burdens on businesses, charities, voluntary bodies or the public sector.

7. Financial Implications

7.1. There are no anticipated financial implications.

8. Section 24 of the Northern Ireland Act 1998

8.1. This Order does not contravene Section 24 of the Northern Ireland Act 1998.

9. EU Implications

9.1. These regulations were notified in draft to the European Commission in accordance with Directive 98/34/EC, as amended by Directive 98/48/EC.

10. Parity or Replicatory Measure

10.1. Scotland have similar legislative requirements in place. In England and Wales these requirements would be regarded as best practice but are not enshrined in legislation.

11. Additional Information

11.1. Not applicable