

2015 No. 377

WILDLIFE

The Snares (Training) (Scotland) Order 2015

Made - - - - - *3rd November 2015*

Laid before the Scottish Parliament *5th November 2015*

Coming into force - - - *1st January 2016*

The Scottish Ministers make the following Order in exercise of the powers conferred by section 11A(8)(a) and (i) of the Wildlife and Countryside Act 1981^(a) and all other powers enabling them to do so.

For the purposes of section 26(4)(a) of that Act^(b) they consider that no local authority is affected by this Order.

In accordance with that provision, they have given any other person affected an opportunity to submit objections or representations with respect to the subject matter of this Order.

In accordance with section 26(4)(b) of that Act, they have consulted Scottish Natural Heritage.

Citation and commencement

1. This Order may be cited as the Snares (Training) (Scotland) Order 2015 and comes into force on 1st January 2016.

Interpretation

2. In this Order—

- (a) “approved body” means a person or body specified in the Schedule; and
- (b) “trained” means trained to set a snare in position and on the circumstances in which the setting of snares is an appropriate method of predator control for the purposes of section 11A(4) of the Wildlife and Countryside Act 1981.

Training certificates

3.—(1) A person is trained when that person holds a training certificate issued in accordance with paragraphs (2) and (3).

(a) 1981 c.69; section 11A was inserted by section 13 of the Wildlife and Natural Environment (Scotland) Act 2011 (asp 6) and amended by S.S.I. 2013/119.

(b) The functions of the Secretary of State set out in section 26(4)(a) and (b) of the Wildlife and Countryside Act 1981, so far as within devolved competence, were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c.46).

(2) The training certificate is issued by an approved body.

(3) The training certificate is issued to a person whom the approved body determines (by examination or otherwise) is competent to—

- (a) select an appropriate location for a snare to be set;
- (b) set a snare in accordance with the law;
- (c) identify and remedy defects in the setting and use of a snare; and
- (d) set a snare in such a manner, and in such a place, that it is reasonable to expect that—
 - (i) use of the snare is consistent with animal welfare; and
 - (ii) the setting of the snare is an appropriate method of predator control.

Revocation

4. The Snares (Training) (Scotland) (No. 2) Order 2012^(a) is revoked.

AILEEN McLEOD

Authorised to sign by the Scottish Ministers

St Andrew's House,
Edinburgh
3rd November 2015

^(a) S.S.I. 2012/161.

SCHEDULE Approved bodies

Article 2

- Borders College**(a)**
- British Association for Shooting and Conservation Limited**(b)**
- Countryside Alliance**(c)**
- Game and Wildlife Conservation Trading Limited**(d)**
- The Board of Management of The North Highland College**(e)**
- Scottish Association for Country Sports**(f)**
- Scottish Gamekeepers Association Charitable Trust**(g)**
- SRUC**(h)**

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- (a)** A charity registered in Scotland (Scottish Charity Number SC021180).
 - (b)** Registered society number 28488R.
 - (c)** A company limited by guarantee (company number 05227778).
 - (d)** A company limited by guarantee (company number 01503620).
 - (e)** A charity registered in Scotland (Scottish Charity Number SC021215).
 - (f)** A company limited by guarantee (company number SC491984).
 - (g)** A company limited by guarantee (company number SC386844).
 - (h)** A company limited by guarantee (company number SC103046).

EXPLANATORY NOTE

(This note is not part of the Order)

This Order makes provision about training in relation to setting snares. The Order also revokes the Snares (Training) (Scotland) (No. 2) Order 2012 (article 4), which this Order replaces.

Article 3 makes provision as regards when a person has been trained to set a snare in position and on the circumstances in which the setting of snares is an appropriate method of predator control for the purposes of section 11A(4) of the Wildlife and Countryside Act 1981.

Article 3(1) specifies that a person is trained when the person holds a training certificate issued in accordance with article 3(2) and (3). The training certificate must be issued by an approved body (article 3(2)). The approved bodies are those listed in the Schedule to the Order.

Article 3(3) provides that the training certificate is issued to a person whom the approved body determines (by examination or otherwise) is competent in the matters listed in sub-paragraphs (a) to (d).

A Business and Regulatory Impact Assessment has been prepared and placed in the Scottish Parliament Information Centre. Copies can be obtained from Natural Resources Division, the Scottish Government, Victoria Quay, Edinburgh EH6 6QQ.

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