

POLICY NOTE

THE SNARES (TRAINING) (SCOTLAND) ORDER 2015

S.S.I. 2015/377

The Snares (Training) (Scotland) Order 2015 is made under section 11A(8)(a) and (i) of the Wildlife and Countryside Act 1981 (“the 1981 Act”). The Order replaces the Snares (Training) (Scotland) (No.2) Order 2012, which this Order revokes.

The instrument is subject to the negative procedure.

Policy Objectives

The objective of the Scottish Government is to ensure that good practice in the use of snares is followed by snaring operators.

All users of snares are now required to undertake a snaring training course. Only when they have completed a training course can they obtain an ID Number from the chief constable . It is now an offence to set a snare without having an ID number, or without fitting a tag on the snare which displays the snaring operator’s ID number.

This Order replaces the Snares (Training) (Scotland) (2) Order 2012,. The Order:-

- adds Countryside Alliance to the list of approved bodies in the Schedule to the Order;
- removes Elmwood College following its closure and reflects the change of name of the Scottish Agricultural College to SRUC; and
- replaces the Game and Wildlife Conservation Trust with Game and Wildlife Conservation Trading Limited.

Article 3(2) of the Order provides that training certificates are to be issued by approved bodies. The Schedule to the Order sets out those organisations: Borders College, British Association for Shooting and Conservation Limited (BASC), Countryside Alliance, Game and Wildlife Conservation Trading Limited, the Board of Management of the North Highland College, Scottish Association for Country Sports (SACS), Scottish Gamekeepers Association Charitable Trust (SGA), and SRUC.

In accordance with article 3(3) of the Order, an approved body will only issue a snaring operator with a training certificate if they can show the approved body that they are competent in certain matters. These matters are listed in article 3(3)(a) to (d), and the person will require to show that they are competent to select an appropriate location for a snare to be set; to set a snare in accordance with the law; to identify and remedy any defects in the setting and use of a snare; and to set a snare in such a manner, and in such a place, that it is reasonable to expect that the use of the snare is consistent with animal welfare and the setting of the snare is an appropriate method of predator control.

The training course includes a multiple choice questionnaire which covers the law and animal welfare in relation to snaring, and also a practical assessment which allows the snaring operator to be judged whether they are competent in setting snares to the required standard.

Consultation

Section 26(4)(a) of the 1981 Act requires the Scottish Ministers to give any local authority affected and any other person affected by the Order an opportunity to submit objections or representations with respect to the subject matter of the Order. All of the current approved bodies were consulted about the Countryside Alliance being added to the Schedule of approved bodies and no objections were received. It was not considered that any local authority was affected by the Order.

Section 26(4)(b) of the 1981 Act requires the Scottish Ministers to consult with whichever one of the advisory bodies they consider is best able to advise them as to whether the order should be made. The Scottish Ministers have consulted Scottish Natural Heritage and they are content for the Order to be made.

Impact Assessments

An equality impact assessment was not undertaken as the Order does not have any implications on anyone wishing to undertake a snaring training course in Scotland.

Financial Effects

A Business and Regulatory Impact Assessment (BRIA) has been completed and is attached. The positive impact of this policy on business is that snaring operators will have another approved body to choose from when undertaking snaring training courses. The courses are run on a not-for-profit basis and does not, therefore, financially affect the other approved bodies currently listed on the Schedule.

Scottish Government
Directorate for Environment and Forestry

November 2015