
STATUTORY INSTRUMENTS

2007 No. 2708

ANIMALS, ENGLAND
PREVENTION OF CRUELTY

The Spring Traps Approval (Variation) (England) Order 2007

Made - - - - *11th September 2007*

Coming into force - - *1st October 2007*

The Secretary of State, in exercise of the powers conferred by section 8(3) and (7) of the Pests Act 1954⁽¹⁾ and now vested in him⁽²⁾, makes the following Order:

Citation, commencement and application

1.—(1) This Order may be cited as the Spring Traps Approval (Variation) (England) Order 2007 and shall come into force on 1st October 2007.

(2) This Order applies in relation to England only⁽³⁾.

Variation of principal Order

2. In the Spring Traps Approval Order 1995⁽⁴⁾—

(a) in the Schedule—

(i) at the beginning, insert the words “Part 1” and entitle that Part “England and Wales”;
and

(ii) at the end, insert—

(1) 1954 c.68.

(2) The functions of the Minister of Food were transferred to the Minister of Agriculture and Fisheries (and that Minister was given the title “Minister of Agriculture, Fisheries and 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.

(3) 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).

(4) S.I. 1995/2427.

“Part 2

England

Column (1)	Column (2)
<i>Type and make of trap</i>	
DOC 150 manufactured by or under the authority of the Department of Conservation, Wellington, New Zealand.	<p>The trap shall be used only for the purpose of killing grey squirrels, rats, stoats and weasels.</p> <p>The trap must be set in the tunnel provided by the manufacturer of the trap for use in the UK and must be used in accordance with the instructions (if any) provided by the manufacturer.</p>
DOC 200 manufactured by or under the authority of the Department of Conservation, Wellington, New Zealand.	<p>The trap shall be used only for the purpose of killing grey squirrels, rats, stoats and weasels.</p> <p>The trap must be set in the tunnel provided by the manufacturer of the trap for use in the UK and must be used in accordance with the instructions (if any) provided by the manufacturer.</p>
DOC 250 manufactured by or under the authority of the Department of Conservation, Wellington, New Zealand.	<p>The trap shall be used only for the purpose of killing grey squirrels, rats, stoats and weasels.</p> <p>The trap must be set in the tunnel provided by the manufacturer of the trap for use in the UK and must be used in accordance with the instructions (if any) provided by the manufacturer.</p>
Kania Trap 2500 manufactured by or under the authority of the C E Kania Corporation, 124-21, 10405, Jasper Avenue, Edmonton, Alberta, Canada.	<p>The trap shall be used only for the purpose of killing edible dormice (<i>glis glis</i>)(5), grey squirrels, mice, mink, rabbits, rats, stoats and weasels.</p> <p>The trap must be set in a natural or artificial tunnel which is suitable for minimising the chances of injuring or killing non-target species whilst not compromising the capture and killing of target species.</p>

(5) See, however, section 11(2)(b) of, and Schedule 6 to, the Wildlife and Countryside Act 1981 (c.69). 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.

Column (1)	Column (2)
<i>Type and make of trap</i>	
Nooski manufactured by or under the authority of Nooski Trap Systems, 50 White Street, Rotorua, New Zealand.	The trap shall be used only for the purpose of killing rats. The trap must be set in a natural or artificial tunnel which is suitable for minimising the chances of injuring or killing non-target species whilst not compromising the capture and killing of target species.
Solway Spring Trap Mk 4 manufactured by or under the authority of Solway Feeders Ltd., Main Street, Dundrennan, Kirkcudbright, DG6 6QH.	The trap shall be used only for the purpose of killing edible dormice (<i>glis glis</i>)(6), grey squirrels, mice, rats, stoats and weasels. The trap must be set in a natural or artificial tunnel which is suitable for minimising the chances of injuring or killing non-target species whilst not compromising the capture and killing of target species.
Solway Spring Trap Mk 6 manufactured by or under the authority of Solway Feeders Ltd., Main Street, Dundrennan, Kirkcudbright, DG6 6QH.	The trap shall be used only for the purpose of killing edible dormice (<i>glis glis</i>)(7), grey squirrels, mice, mink, rabbits, rats, stoats and weasels. The trap must be set in a natural or artificial tunnel which is suitable for minimising the chances of injuring or killing non-target species whilst not compromising the capture and killing of target species.”

Joan Ruddock
Parliamentary Under Secretary of State
Department for Environment, Food and Rural
Affairs

11th September 2007

(6) See, however, section 11(2)(b) of, and Schedule 6 to, the Wildlife and Countryside Act 1981 (c.69). 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.

(7) See footnote (a) above.

Status: This is the original version (as it was originally made).

EXPLANATORY NOTE

(This note is not part of the Order)

This Order varies the Spring Traps Approval Order 1995 (“the 1995 Order”) in relation to England only.

Under section 8 of the Pests Act 1954, it is an offence to use or knowingly permit the use of any spring trap other than a trap that has been approved by Order. The Spring Traps Approval Order 1995 currently approves thirteen types of spring trap for use in England and Wales. This Order approves a further seven types of spring trap for use in England only.

Article 2 has the effect of dividing the Schedule to the 1995 Order into two Parts. Part 1 is entitled “England and Wales” and lists the thirteen traps currently approved. Part 2 is entitled “England” and lists the seven new traps which are approved for use in England only.

A full impact assessment has not been produced for this instrument as it has no impact on the costs of business.