

2010 No. 2447(W. 210)

ANIMALS, WALES

**The Spring Traps Approval (Wales)
Order 2010**

EXPLANATORY NOTE

(This note is not part of the Order)

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.

This Order revokes and replaces the Spring Traps Approval Order 1995 in relation to Wales. Article 2 specifies approved traps, namely those listed in column (1) of the Schedule and others which are equivalent in all respects to those so listed. The Order adds 11 types of traps to those approved under the previous Order. Conditions attached to the approval of each type of trap are specified in column (2) of the Schedule. The conditions have been amended from the previous Order to ensure a trap is set in such a way to minimise the chances of injuring or killing non-target species.

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

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ANIMALS, WALES

**The Spring Traps Approval (Wales)
Order 2010**

Made 5 October 2010

Laid before the National Assembly for Wales

7 October 2010

Coming into force 01 November 2010

The Welsh Ministers, in exercise of the powers conferred by sections 8(3) and (7) of the Pests Act 1954⁽¹⁾ now vested in them⁽²⁾, make the following Order in exercise of those powers.

Title, commencement and application

1.—(1) The title of this Order is the Spring Traps Approval (Wales) Order 2010. It comes into force on 01 November 2010.

(2) This Order applies in relation to Wales.

Approval of spring traps

2.—(1) For the purposes of section 8(3) of the Pests Act 1954, the following spring traps are approved, namely—

(a) any spring trap-

⁽¹⁾ 1954 c.68

⁽²⁾ 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).

(i) of a type and make specified in any entry in column (1) of the Schedule; and

(ii) which is or was manufactured by or under authority of the person or company specified in that entry; and

(b) any spring trap which is equivalent in all relevant respects to a spring trap of a type and make specified in any entry in column (1) of the Schedule.

(2) The approvals given by paragraph (1) of this article relating to any spring trap specified in any entry in column (1) of the Schedule, and to any spring trap equivalent in all relevant respects to a spring trap so specified, are subject to the conditions as to the animals for which and the circumstances in which the spring trap may be used specified in the corresponding entry in column (2) of the Schedule.

(3) For the purposes of this Order, a spring trap is equivalent in all relevant respects to a spring trap of a type and make specified in the Schedule if it corresponds to the spring trap so specified in construction, in materials, in impact force or momentum, and in all other respects which are relevant to its effect or manner of operation as a trap.

Revocations

3. The Spring Traps Approval Order 1995(1) is revoked in so far as it applies to Wales.

Elin Jones

Minister for Rural Affairs, one of the Welsh Ministers

5 October 2010

SCHEDULE

Article 2

Column (1)	Column (2)
Type and make of trap	Conditions

Aldrich	Spring The trap shall be used
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(1) S.I. 1995/2427 to which there are amendments not relevant to this Order.

Activated Snare **Animal** manufacturer: Mr D Schimetz, PO Box 158, Sekiu, Washington 98381, USA. only for the purpose of killing or taking large, non-indigenous, mammalian carnivores. The trap must be used in accordance with the instructions (if any) provided by the manufacturer.

BMI Magnum 55 manufacturer: Butera Manufacturing Industries, 1068 E 134th Street, Cleveland, Ohio, USA. The trap shall be used only for the purpose of killing or taking rats and mice. 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.

BMI Magnum 110 manufacturer: Butera Manufacturing Industries, 1068 E 134th Street, Cleveland, Ohio, USA. The trap shall be used only for the purpose of killing or taking grey squirrels, stoats, weasels, rats and mice. 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.

BMI Magnum 116 manufacturer: Butera Manufacturing Industries, 1068 E 134th Street, Cleveland, Ohio, USA. The trap shall be used only for the purpose of killing or taking grey squirrels, mink, rabbits, stoats, weasels, rats and mice. 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.

DOC 150 manufacturer: Department of Conservation, Wellington, New Zealand. The trap shall be used only for the purpose of killing grey squirrels, rats, stoats and weasels. The trap must be set in

Zealand. 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.

DOC manufacturer: Department of Conservation, Wellington, Zealand. **200** New The trap shall be used only for the purpose of killing grey squirrels, mink, rats, stoats and weasels. 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.

DOC manufacturer: Department of Conservation, Wellington, Zealand. **250** New The trap shall be used only for the purpose of killing grey squirrels, mink, rabbits, rats, stoats and weasels. 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.

Fenn Rabbit Trap Mark I manufacturer: Mr A A Fenn of FHT Works, High Street, Astwood Bank, Redditch, Worcestershire. The trap shall be used only for the killing or taking of rabbits. 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.

Fenn Vermin Trap Mark I, Vermin Trap Mark II, Vermin Trap Mark III and Vermin Trap Mark IV (Heavy Duty) manufacturer: Mr A A Fenn of FHT The traps shall be used only for the purpose of killing or taking grey squirrels, stoats, weasels, rats and mice. The trap must be set in a natural or artificial tunnel which is

Works, High Street, suitable for minimising
Astwood Bank, the chances of injuring or
Redditch, killing non-target species
Worcestershire and whilst not compromising
specified in British the capture and killing of
Patent Specification No target species.
763,891 and as
illustrated in figures 1
to 3 of that
Specification, and
Springer No 4 Multi-
purpose (Heavy Duty)
manufactured by or
under the authority of
AB County Products
Ltd, Troy Industrial
Estate, Jill Lane,
Sambourne, Near
Astwood Bank,
Redditch,
Worcestershire.

Fenn Vermin Trap The traps shall be used
Mark VI (Dual only for the purpose of
Purpose) manufacturer: killing or taking grey
Mr A A Fenn of FHT squirrels, mink, rabbits,
Works, Hoopers Lane, stoats, weasels, rats and
Astwood Bank, mice. The trap must be
Redditch, set in a natural or
Worcestershire and artificial tunnel which is
specified in British suitable for minimising
Patent Specification No the chances of injuring or
763,891, and Springer killing non-target species
No 6 Multi-purpose whilst not compromising
manufactured by or the capture and killing of
under the authority of target species.
AB Country Products
Ltd, Troy Industrial
Estate, Jill Lane,
Sambourne, Near
Astwood Bank,
Redditch,
Worcestershire.

Fuller Trap The trap shall be used
manufacturer: Fuller only for the purpose of
Industries, Three Trees, killing or taking grey
Loxwood Road, Bucks squirrels. The trap must
Green, Rudgwick, be fitted with an artificial
Sussex. 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.

Imbra Trap Mark I and Mark II The traps shall be used only for the purpose of killing or taking grey squirrels, rabbits, stoats, weasels, rats and mice. 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.

manufacturer: James S Low and Sons Ltd, Atholl Smithy, Atholl Street, Blairgowrie, Perthshire and specified in British Patent Specification No 682,427 and as illustrated in figures 1 to 4 of that Specification.

Juby Trap The trap shall be used only for the purpose of killing or taking grey squirrels, rabbits, stoats, weasels, rats and mice. 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.

manufacturer: the Ministry of Agriculture, Fisheries and Food, Whitehall Place, London SW1 and specified in British Patent Specification No 813,066 and as illustrated in figures 1 to 3 of that Specification.

Kania Trap 2000 The trap shall be used only for the purpose of killing or taking grey squirrels, mink, stoats, weasels, rats and mice. The trap must be fitted with an 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.

manufacturer: C E Kania Corporation, 124-21, 10405, Jasper Avenue, Edmonton, Alberta, Canada.

Kania Trap 2500 The trap shall be used only for the purpose of killing edible dormice (*glis glis*)(1), grey squirrels, mice, mink, rabbits, rats, stoats and

manufacturer: Kania Industries Inc, 63 Centennial Road, Nanaimo, British Columbia, Canada,

(1) 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.

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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.

Lloyd Trap manufacturer: the National Research Corporation, specified in British Patent Specification No 987,113 and as illustrated in figures 1 to 3 of that Specification. The trap shall be used only for the purpose of killing or taking grey squirrels, stoats, weasels, rats and mice. 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.

Nooski manufacturer: Nooski Trap Systems, PO Box 1240, 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.

Nooski mouse trap manufacturer: Nooski Trap Systems, PO Box 1240, 50 White Street, Rotorua, New Zealand. The trap shall be used only for the purpose of killing mice. 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.

Sawyer Trap manufacturer: James S Low and Sons Ltd, Atholl Smithy, Atholl Street, Blairgowrie, Perthshire. The trap shall be used only for the purpose of killing or taking grey squirrels, stoats, weasels, rats and mice. 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.

Skinns Squirrel Trap manufacturer: E.Skinns Ltd., Witham Road, Woodhall Spa, Lincolnshire, LN10 6QX. **Superior Trap** The trap shall be used only for the purpose of killing grey squirrels. 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 manufacturer: Solway Feeders Ltd, Main Street, Dundrennan, Kirkcudbright, DG6 4QH. **Spring Trap** The trap shall be used only for the purpose of killing edible dormice (*glis glis*)(1), 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 manufacturer: Solway Feeders Ltd, Main Street, Dundrennan, Kirkcudbright, DG6 4QH. **Spring Trap** The trap shall be used only for the purpose of killing edible dormice (*glis glis*)(2), 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

(1) 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.

(2) 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.

whilst not compromising the capture and killing of target species.

WCS Collarum The trap shall be used only for the purpose of restraining foxes.
manufacturer: Wildlife Control Supplies, LLC,
PO Box 538, East Granby, CT 06026, USA.

WCS Tube Trap The trap shall be used only for the purpose of killing grey squirrels, mink, rats, stoats and weasels. 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.