

2011 No. []

WILDLIFE

The Spring Traps Approval Order (Northern Ireland) 2011

Made - - - - [***]

Coming into operation - [***]

The Department of the Environment, in exercise of the powers conferred by Article 12A(2) and 12A(3) of the Wildlife (Northern Ireland) Order 1985 (a) and having in accordance with Article 29(3) of that Order consulted the Council for Nature Conservation and the Countryside and any district council or other person affected and taken into consideration any objections or representations duly received makes the following Order;

Citation, commencement and interpretation

1.—(1) This Order may be cited as The Spring Traps Approval Order (Northern Ireland) 2011, and shall come into operation on [****] 2011.

Approval of spring traps

2.—(1) Subject to paragraph (2) the following spring traps are approved for the purposes of Article 12A(3) of the Wildlife (Northern Ireland) Order 1985—

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

(2) Paragraph (1) is subject in all cases to the following conditions—

- (a) the spring trap must be used in accordance with the instructions (if any) provided by the manufacturer;
- (b) so far as is practicable without unreasonably compromising its use for killing or taking target species, the trap must be used in a manner that minimises the likelihood of its killing, taking or injuring non-target species, and
- (c) the spring traps specified in column 1 of Schedule 1 and any equivalent spring traps are subject to the conditions specified in column 2 of Schedule 1.

(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 Schedule 1 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

(a) 1985 No.171 (N.I.2), as amended by the Wildlife and Natural Environment Act (NI) 2011 (c.15)

relevant to its effect or manner of operation as a trap and “equivalent spring trap” shall be construed accordingly.

Traps for small ground vermin

3. The traps referred to in Schedule 2 are, for the purpose of Article 12A(2) of the Wildlife (Northern Ireland) Order 1985, specified as being adapted solely for the destruction of rats, mice or other small ground vermin.

Revocation

4. The Spring Traps Approval Order (Northern Ireland) 1996(a) is revoked.

Sealed with the Official Seal of the Department of the Environment on [****] 2011.



A senior officer of the Department of the Environment

SCHEDULE 1

Regulation 2

Note: the new additions to the list are highlighted in **bold** text.

Column 1	Column 2
<u>Type and Make of Trap</u>	<u>Conditions</u>
BMI Magnum 55 manufactured by or under the authority of Butera Manufacturing Industries, 1068 E 134th Street, Cleveland, Ohio, 44110-2248, USA.	The trap shall be used only for the purpose of taking or killing rats, mice and other small ground vermin (except those species listed in Schedules 5 and 6 of the Wildlife (Northern Ireland) Order 1985). The trap must be set in a natural or artificial tunnel which is, in either case, suitable for the purpose.
BMI Magnum 110 manufactured by or under the authority of Butera Manufacturing Industries, 1068 E 134th Street, Cleveland, Ohio, 44110-2248, USA.	The trap shall be used only for the purpose of taking or killing grey squirrels, stoats, rats, mice and other small ground vermin (except for those species listed in Schedules 5 and 6 of the Wildlife (Northern Ireland) Order 1985). The trap must be set in a natural or artificial tunnel which is, in either case, suitable for the purpose.
BMI Magnum 116 manufactured by or under the authority of Butera Manufacturing Industries, 1068 E 134th Street, Cleveland, Ohio, 44110-2248, USA.	The trap shall be used only for the purpose of taking or killing grey squirrels, mink, rabbits, stoats, rats, mice and other small ground vermin (except for those species listed in Schedules 5 and 6 of the Wildlife (Northern Ireland) Order 1985). The trap must be set in a natural or artificial tunnel which is, in either case, suitable for the purpose.
DOC 150 manufactured by or under the authority of the Department of Conservation, Wellington, New Zealand.	The trap shall be used only for the purpose of taking or killing grey squirrels, rats and stoats. The trap must be set in an artificial tunnel constructed to the design specified by the Department of Conservation.
DOC 200 manufactured by or under the authority of the Department of Conservation, Wellington, New Zealand.	The trap shall be used only for the purpose of taking or killing grey squirrels, mink, rats and stoats. The trap must be set in an artificial tunnel constructed to the design specified by the Department of Conservation.
DOC 250 manufactured by or under the authority of the Department of Conservation, Wellington, New Zealand.	The trap shall be used only for the purpose of taking or killing grey squirrels, mink, rabbits, rats and stoats. The trap must be set in an artificial tunnel

constructed to the design specified by the Department of Conservation.

Fenn Rabbit Trap Mark I manufactured by or under the authority of Mr A.A. Fenn of FHT Works, High Street, Astwood Bank, Redditch, Worcestershire.

The trap may be used only for the purpose of taking or killing rabbits.

The trap must be set in a natural or artificial tunnel which is, in either case, suitable for the purpose.

Fenn Vermin Trap Mark I, Vermin Trap Mark II, Vermin Trap Mark III and Vermin Trap Mark IV (Heavy Duty) Manufactured by or under the authority of Mr A A Fenn of FHT Works, High Street, Astwood Bank, Redditch, Worcestershire and specified in British Patent Specification No. 763,891 and as illustrated in figures 1 to 3 of that Specification.

The traps shall be used only for the purpose of taking or killing grey squirrels, stoats, rats, mice and other small ground vermin (except for those species listed in Schedules 5 and 6 of the Wildlife (Northern Ireland) Order 1985) .

The traps must be set in natural or artificial tunnels which are, in either case, suitable for the purpose.

Fenn Vermin Trap Mark VI (Dual Purpose) manufactured by or under the authority of Mr A A Fenn of FHT Works, Hoopers Lane, Astwood Bank, Redditch, Worcestershire and specified in British Patent Specification No. 763,891.

The traps shall be used only for the purpose of killing grey squirrels, mink, rabbits, stoats, rats, mice and other small ground vermin (except for those species listed in Schedule 5 and 6 of the Wildlife (Northern Ireland) Order 1985).

The trap must be set in a natural or artificial tunnel which is, in either case, suitable for the purpose.

Fuller Trap manufactured by or under the authority of Fuller Industries, Three Trees, Loxwood Road, Bucks Green, Rudgwick, Sussex.

The trap shall be used only for the purpose of taking or killing grey squirrels.

The trap must be set within the housing provided by the manufacturer.

Imbra Trap Mark I and Mark II, both manufactured by or under the authority of 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.

The traps shall be used only for the purpose of taking or killing grey squirrels, rabbits, stoats, rats, mice and other small ground vermin (except for those species listed in Schedules 5 and 6 of the Wildlife (Northern Ireland) Order 1985).

The traps must be set in natural or artificial tunnels which are, in either case, suitable for the purpose.

Juby Trap manufactured under the authority of 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.

The trap shall be used only for the purpose of taking or killing grey squirrels, rabbits, stoats, rats, mice and other small ground vermin (except for those species listed in Schedules 5 and 6 of the Wildlife (Northern Ireland) Order 1985).

The trap must be set in a natural or artificial tunnel which is, in either case, suitable for the purpose.

Kania Trap 2000 manufactured by or under the authority of Kania Industries Inc., 63 Centennial Road, British Columbia, V9R

The trap shall be used only for the purpose of taking or killing grey squirrels, mink, stoats, rats, mice and other small ground

6N6, Canada.

Kania Trap 2500 manufactured by or under the authority of Kania Industries Inc., 63 Centennial Road, British Columbia, V9R 6N6, Canada.

Lloyd Trap manufactured under the authority of the National Research Corporation, and specified in British Patent Specification No. 987,113 and as illustrated in figures 1 to 3 of that Specification.

Nooski manufactured by or under the authority of Nooski Trap Systems, 50 White Street, Rotorua, New Zealand.

Nooski mouse trap manufactured by or under the authority of Nooski Trap Systems, 50 White Street, Rotorua, New Zealand.

Sawyer Trap manufactured by or under the authority of James S Low and Sons Ltd., Atholl Smithy, Atholl Street, Blairgowrie, Perthshire.

Skinns Superior Squirrel Trap manufactured by or under the authority of E. Skinns Ltd., Witham Road, Woodhall Spa, Lincolnshire, LN10 6QX.

Solway Spring Trap Mk 4 manufactured by or under the authority of Solway Feeders Ltd., Main Street, Dundrennan, Kirkcudbright, DG6 6QH.

vermin (except for those species listed in Schedules 5 and 6 of the Wildlife (Northern Ireland) Order 1985.

The trap must be set within the housing provided by the manufacturer.

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

The trap must be set in a natural or artificial tunnel which is, in either case, suitable for the purpose.

The trap shall be used only for the purpose of killing grey squirrels, stoats, rats, mice and other small ground vermin (except for those species listed in Schedules 5 and 6 of the Wildlife (Northern Ireland) Order 1985).

The trap must be set in a natural or artificial tunnel which is, in either case, suitable for the purpose.

The trap shall be used only for the purpose of taking or killing rats.

The trap must be set within the housing and artificial tunnel provided by the manufacturer.

The trap shall be used only for the purpose of taking or killing mice.

The trap must be set within the housing and artificial tunnel provided by the manufacturer.

The trap shall be used only for the purpose of taking or killing grey squirrels, stoats, rats, mice and other small ground vermin (except for those species listed in Schedules 5 and 6 of the Wildlife (Northern Ireland) Order 1985).

The trap must be set in a natural or artificial tunnel which is, in either case, suitable for the purpose.

The trap shall be used only for the purpose of taking or killing grey squirrels.

The trap must be set in a natural or artificial tunnel which is, in either case, suitable for the purpose.

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

The trap must be set in a natural or artificial tunnel which is, in either case, suitable for the purpose.

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 taking or killing grey squirrels, mice, mink, rabbits, rats and stoats.

The trap must be set in a natural or artificial tunnel which is, in either case, suitable for the purpose.

Springer No.4 Multi-purpose (Heavy Duty) manufactured by or under the authority of AB County Products Ltd., Unit 3, Wellington Works, 15 The High Street, Redditch, Worcestershire.

The trap may be used only for the purpose of taking or killing grey squirrels, stoats, rats, mice and other small ground vermin (except for those species listed in Schedules 5 and 6 to the Wildlife and Countryside Act 1981).

The trap must be set in a natural or artificial tunnel which is, in either case, suitable for the purpose.

Springer No.6 Multi-purpose manufactured by or under the authority of AB County Products Ltd., Unit 3, Wellington Works, 15 The High Street, Redditch, Worcestershire.

The trap may be used only for the purpose of taking or killing grey squirrels, mink, rabbits, stoats, rats, mice and other small ground vermin (except for those species listed in Schedules 5 and 6 to the Wildlife and Countryside Act 1981).

The trap must be set in a natural or artificial tunnel which is, in either case, suitable for the purpose.

VS squirrel trap manufactured by, or under licence from, Pescon Services, 394 York Road, Stevenage, Hertfordshire, SG1 4EN.

The trap shall be used only for the purpose of taking or killing grey squirrels.

The trap must be set within the artificial tunnel supplied by the manufacturer.

WCS Collarum Stainless UK Fox Model manufactured by or under the authority of Wildlife Control Supplies, LLC, P.O. Box 538, East Granby, CT 06026, USA.

The trap shall be used only for the purpose of taking foxes.

The trap must be staked to the ground or attached to an object which will prevent it being dragged by a fox caught by it, but must not be set close to fences, obstructions, vegetation or bodies of water that may cause the animal to be suspended, entangled or drowned.

The trap must be checked at least once every day at intervals of no more than 24 hours to see whether any animal is caught in it.

The trap must be fitted with a stop which is capable of preventing the noose of the trap reducing in circumference to less than 23 centimetres. In other respects the trap must be free-running.

WCS Tube Trap International manufactured by or under the authority of Wildlife Control Supplies, LLC, P.O. Box 538, East Granby, CT 06026, USA.

The trap shall be used only for the purpose of taking or killing grey squirrels, mink, rats and stoats.

The trap must be set in the tunnel provided by the manufacturer of the trap for use in the UK.

WiseTrap 110 (article number 100110 or 110110), WiseTrap 160 (article number 100160, 110160, 101160 or 111160), WiseTrap 200 (article number 100200, 110200, 101200 or 111200), and WiseTrap 250 (article number 101250 or 111250) manufactured by WiseCon A/S, Skovgaardsvej 25, DK-3200 Helsingør, Denmark.

The trap shall be used only for the purpose of killing rats.

The traps must be set in a sewer, drainpipe, or similar structure.

SCHEDULE 2

Regulation 3

1. Spring traps known as break-back traps and commonly used for the destruction of rats, mice and other small vermin.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order revokes and replaces the Spring Traps Approval Order (Northern Ireland) 1996.

Under Article 12A(1) of the Wildlife (Northern Ireland) Order 1985(a) it is an offence to use or permit the use of, for the purpose of killing or taking animals, any spring trap other than an approved trap or uses or permits the use of an approved trap for animals for which it is not approved or sells or exposes or offers for sale any spring trap other than an approved trap with a view to its being used for an unlawful purpose, or has in his possession any spring trap for an unlawful purpose.

Regulation 2 specifies approved traps, namely those listed in column 1 of Schedule 1 to the Order and others which are equivalent in all relevant respects to those so listed. The Order adds 16 types of traps to those approved under the previous Order.

Article 12A(1) of the Wildlife (Northern Ireland) Order 1985 does not apply to traps of any description specified by Order of the Department as being solely used for the destruction of rats, mice or other small vermin. Regulation 3 specifies such traps, namely those mentioned in Schedule 2 to the Order.

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

(a) The powers to regulate the use of spring traps in Northern Ireland were formally contained in the Welfare of Animals Act (NI) 1972 (now repealed) and the responsibility of the Department for Agriculture and Rural Development. These powers have subsequently been transferred to the Department of the Environment and are contained in the Wildlife (Northern Ireland) Order 1985, as amended.