



Department of the
Environment
www.doeni.gov.uk

Environmental Policy Division

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Our ref.

Date: 17th August 2011

Dear Consultee,

Spring Traps Approval Order (Northern Ireland) 2011

I am writing to advise you that the Department proposes to make an updated 'Spring Traps Approval' Order that will list those makes and models of traps that are approved for use to control certain pest species of animal, for example, mice, rats, and rabbits. Gamekeepers and pest controllers are most likely to use these traps. Householders often use traditional break-back spring traps for mice and rats.

The sale and use of spring traps was formally regulated under the Welfare of Animals Act (NI) 1972 ('the 1972 Act'), administered by the Department for Agriculture and Rural Development. The Spring Traps Approval Order (NI) 1996 ('the 1996 Order'), made under the powers contained in the 1972 Act, listed those traps that were approved for use in Northern Ireland.

The powers to regulate the use of spring traps transferred to the Department of the Environment through provision contained in Wildlife and Natural Environment Act 2011 ('the WANE Act') which has also coincided with the repeal of the 1972 Act. As a consequence, it is necessary to make a new Order under the auspices of the powers contained in the WANE Act.

The 1996 Order replicated similar legislation in place throughout the United Kingdom. Since then the other UK administrations have added a number of newly approved spring traps to their 'Spring Traps Approval' Order, but Northern Ireland has not kept pace with the changes.

In Britain, traps are approved for use by Defra based on the advice of the Food and Environment Research Agency (FERA). This Agency has the competence to assess the efficiency and effectiveness of traps with respect to how quickly and humanely animals are dispatched.

While this issue is a devolved matter, it has been policy to seek to replicate the traps recommended by FERA as Northern Ireland has no testing facilities. There is also an underlying imperative that the UK administrations act in unison in terms of authorising particular makes of traps for use as it affects trade in such mechanisms (subject to EU

trade rules and the EU Technical Standards Directive), as well as the ability of users to have access to the most up to date and most humane form of traps.

It is therefore proposed to make a new Order to replace the 1996 Order and bring the list of 'approved' traps in Northern Ireland up to date and in line with those approved in Britain.

The EU Technical Standards Directive is concerned with preventing the creation of new technical barriers to trade across the EU and applies to all industrially manufactured products. It lays down a procedure for the provision of information ('notification') in the field of technical standards and regulation. Regulations that require notification have to be notified to the Commission in draft, and generally observe a three month standstill period before the regulation can be made or brought into force by a Member State. This is to provide an opportunity for the Commission and other Member States to raise concerns about potential barriers to trade. The new Spring Traps Order will be subject to this process.

A copy of the draft Order can be viewed or downloaded at the following website, together with details of how to respond if you wish to make comments:

http://www.doeni.gov.uk/index/protect_the_environment/natural_environment/habitats_and_species.htm

The closing date for responses is **14th October**.

Should you wish to receive a hard copy of the draft Order, please contact the addresses given above or telephone 028 90254729.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'C Savage', written in a cursive style.

C Savage