
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 **(1)** 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](#).

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the use of spring traps in Northern Ireland were formally contained in the Welfare of Animals Act (NI) 1972 (now repealed) and the responsibility of the Department of Agriculture and Rural Development.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