
DRAFT STATUTORY INSTRUMENTS

2019 No.

The Humane Trapping Standards Regulations 2019

PART 2

Amendment of the Wildlife and Countryside Act 1981

Amendment of section 11

3.—(1) Section 11 (prohibition of certain methods of killing or taking wild animals)⁽¹⁾ is amended as follows.

(2) For subsection (2) substitute—

“(2) Subject to the provisions of this Part, a person shall be guilty of an offence if that person—

- (a) uses any trap or snare for the purpose of killing or taking or restraining any wild animal included in Schedule 6 or 6ZA;
- (b) sets in position any trap or snare of such a nature and so placed as to be—
 - (i) in England and Wales, calculated to cause bodily injury to any wild animal included in Schedule 6 or 6ZA;
 - (ii) in Scotland, likely to cause bodily injury to any such wild animal;
- (c) sets in position any electrical device for killing or stunning, or any poisonous, poisoned or stupefying substance, of such a nature and so placed as to be—
 - (i) in England and Wales, calculated to cause bodily injury to any wild animal included in Schedule 6;
 - (ii) in Scotland, likely to cause bodily injury to any such wild animal;
- (d) uses for the purpose of killing or taking any wild animal included in Schedule 6—
 - (i) any electrical device for killing or stunning;
 - (ii) any poisonous, poisoned or stupefying substance;
 - (iii) any net;
 - (iv) any automatic or semi-automatic weapon;
 - (v) any device for illuminating a target or sighting device for night shooting;
 - (vi) any form of artificial light or any mirror or other dazzling device;
 - (vii) any gas or smoke not falling within sub-paragraph (ii);
 - (viii) any sound recording used as a decoy; or

⁽¹⁾ Subsection (2) was amended in relation to England and Wales by section 2(3) of the Wildlife and Countryside (Amendment) Act 1991 (c. 39), and in relation to Scotland by paragraph 10 of Schedule 6 to the Nature Conservation (Scotland) Act 2004 (asp 6). Subsection (5) was amended by section 2(5) of the Wildlife and Countryside (Amendment) Act 1991, and paragraph 10 of Schedule 6 to the Nature Conservation (Scotland) Act 2004. Subsection (7) was inserted by section 2(6) of the Wildlife and Countryside (Amendment) Act 1991.

- (ix) any mechanically propelled vehicle in immediate pursuit of any such animal;
 - (e) uses any mechanically propelled vehicle for the purpose of driving any wild animal included in Schedule 6; or
 - (f) knowingly causes or permits to be done an act mentioned in paragraphs (a) to (e).”.
- (3) In subsection (5), for “(2)(b), (c), (d) or (e)” substitute “(2)(a), (d) or (e)”.
- (4) In subsections (6) and (7)—
- (a) for “subsection (2)(a)” substitute “subsection (2)(b) or (c)”;
 - (b) for “Schedule 6” substitute “the relevant Schedule”.
- (5) After subsection (7), insert—
- “(7A) In subsections (6) and (7), “the relevant Schedule” means—
- (a) where proceedings relate to an offence under subsection (2)(b), Schedule 6 or 6ZA;
 - (b) where proceedings relate to an offence under subsection (2)(c), Schedule 6.”.