

2018 No. 1190

ANIMALS, ENGLAND

PREVENTION OF CRUELTY

The Spring Traps Approval (England) Order 2018

Made - - - - *9th November 2018*
Coming into force - - *1st January 2019*

The Secretary of State makes the following Order in exercise of the powers conferred by section 8(3) and (7) of the Pests Act 1954^(a) and now vested in the Secretary of State^(b).

Citation, commencement and application

1. This Order—

- (a) may be cited as the Spring Traps Approval (England) Order 2018;
- (b) comes into force on 1st January 2019; and
- (c) applies in relation to England only.

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 of a type and make specified in any entry in Column 1 of the Schedule; 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) are subject in all cases to the conditions that—

- (a) the trap must be used in accordance with the instructions (if any) provided by the manufacturer; and
- (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 to such further conditions (if any) as to the animals for which, and the circumstances in which, the spring trap may be used as are specified in the corresponding entry in Column 2 of the

^(a) 1954 c. 68. Section 8(7) was amended by section 1(1) of, and Part 8 of Schedule 1 to, the Statute Law (Repeals) Act 1973 (c. 39).

^(b) The Minister of Agriculture and Fisheries was re-named “the Minister of Agriculture, Fisheries and Food” upon the transfer to that Minister of the functions of the Minister of Food by S.I. 1955/554. The functions of the Minister of Agriculture, Fisheries and Food were transferred to the Secretary of State by S.I. 2002/794.

Schedule (or, in the case of a trap approved under paragraph (1)(b), as are so specified in relation to the trap to which it is equivalent for the purposes of that paragraph).

(3) For the purposes of paragraph (1)(b), 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 its 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 following instruments are revoked—

- (a) the Spring Traps Approval (England) Order 2012(a);
- (b) the Spring Traps Approval (Variation) (England) Order 2015(b);
- (c) the Spring Traps Approval (Variation) (England) Order 2016(c).

9th November 2018

Thérèse Coffey
Parliamentary Under Secretary of State
Department for Environment, Food and Rural Affairs

SCHEDULE

Article 2

<i>Column 1</i> <i>Type and make of trap</i>	<i>Column 2</i> <i>Conditions</i>
Aldrich Spring Activated Animal Snare manufactured by or under the authority of Mr D. Schimetz, P.O. Box 158, Sekiu, Washington 98381, USA.	The trap may be used only for the purpose of taking large, terrestrial mammals of the order carnivora such as wolves.
BMI Magnum 55 manufactured by or under the authority of Butera Manufacturing Industries, 1068 E 134th St., Cleveland, OH, 44110-2248, USA.	The trap may be used only for the purpose of killing grey squirrels, rats, mice and other small ground vermin (except for those species listed in Schedule 5 or 6 to the Wildlife and Countryside Act 1981 ⁽¹⁾). 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 St., Cleveland, OH, 44110-2248, USA.	The trap may only be used for the purpose of killing grey squirrels, weasels, rats, mice, other small ground vermin (except for those species listed in Schedule 5 or 6 to the Wildlife and Countryside Act 1981) and, before 1st April 2020, stoat. 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 St., Cleveland, OH, 44110-2248, USA.	The trap may only be used for the purpose of killing grey squirrels, mink, rabbits, weasels, rats, mice, other small ground vermin (except for those species listed in Schedule 5 or 6 to the Wildlife and Countryside Act 1981) and, before

(a) S.I. 2012/13, amended by S.I. 2015/1427 and 2016/247.
(b) S.I. 2015/1427.
(c) S.I. 2016/247.

DOC 150 manufactured by or under the authority of the Department of Conservation, Wellington, New Zealand.

1st April 2020, stoat.

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

Where used in a closed-end trap configuration, the trap may be used only for the purpose of killing grey squirrels, rats, stoats and weasels.

The trap must be set in an artificial tunnel constructed to the design specified by the Department of Conservation, using materials suitable for the purpose.

Where used in a run-through trap configuration, the trap may be used only for the purpose of killing rats, stoats and weasels.

The trap must be set in accordance with the manufacturer's instructions for the run-through configuration in a natural or artificial tunnel which is, in either case, suitable for the purpose.

DOC 200 manufactured by or under the authority of the Department of Conservation, Wellington, New Zealand.

Where used in a closed-end trap configuration, the trap may be used only for the purpose of killing grey squirrels, mink, rats, stoats and weasels.

The trap must be set in an artificial tunnel constructed to the design specified by the Department of Conservation, using materials suitable for the purpose.

Where used in a run-through trap configuration, the trap may be used only for the purpose of killing rats, stoats and weasels.

The trap must be set in accordance with the manufacturer's instructions for the run-through configuration in a natural or artificial tunnel which is, in either case, suitable for the purpose.

DOC 250 manufactured by or under the authority of the Department of Conservation, Wellington, New Zealand.

Where used in a closed-end trap configuration, the trap may be used only for the purpose of killing grey squirrels, mink, rabbits, rats, stoats and weasels.

The trap must be set in an artificial tunnel constructed to the design specified by the Department of Conservation, using materials suitable for the purpose.

Where used in a run-through trap configuration, the trap may be used only for the purpose of killing rats, stoats and weasels.

The trap must be set in accordance with the manufacturer's instructions for the run-through configuration in a natural or artificial tunnel which is, in either case, suitable for the purpose.

Duke 116 manufactured by or under the authority of Duke Company, 508 E. Brame Avenue, West Point, MS 39773, USA.

The trap may be used only for the purpose of killing grey squirrels.

The trap must be set in an artificial tunnel which is suitable for the purpose.

Fenn Rabbit Trap Mark I manufactured by or

The trap may be used only for the purpose of

under the authority of DB Springs, Unit 1, Double Century Works, High Street, Astwood Bank, Redditch, Worcestershire, B96 6AR (previously Mr A. A. Fenn of FHT Works, High Street, Astwood Bank, Redditch, Worcestershire).

Fenn Vermin Trap Mark IV (Heavy Duty) manufactured by or under the authority of DB Springs, Unit 1, Double Century Works, High Street, Astwood Bank, Redditch, Worcestershire, B96 6AR (previously Mr A. A. Fenn of FHT Works, High Street, Astwood Bank, Redditch, Worcestershire).

Fenn Vermin Trap Mark VI (Dual Purpose) manufactured by or under the authority of DB Springs, Unit 1, Double Century Works, High Street, Astwood Bank, Redditch, Worcestershire, B96 6AR (previously Mr A. A. Fenn of FHT Works, High Street, Astwood Bank, Redditch, Worcestershire).

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

Goodnature A18 Grey Squirrel Trap manufactured by or under the authority of Goodnature Limited, 4-12 Cruickshank Street, Kilbirnie 6022, Wellington, New Zealand.

Goodnature A18 Mink Trap manufactured by or under the authority of Goodnature Limited, 4-12 Cruickshank Street, Kilbirnie 6022, Wellington, New Zealand.

Goodnature A24 Pro manufactured by or under the authority of Goodnature Limited, 4-12 Cruickshank Street, Kilbirnie 6022, Wellington, New Zealand.

Goodnature A24 Rat and Stoat Trap manufactured by or under the authority of Goodnature Limited, 4-12 Cruickshank Street, Kilbirnie 6022, Wellington, New Zealand.

Kania Trap 2000 manufactured by or under the authority of Kania Industries Inc., 63 Centennial Road, British Columbia, V9R 6N6, Canada.

killing rabbits.

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

The trap may be used only for the purpose of killing grey squirrels, weasels, rats, mice, other small ground vermin (except for those species listed in Schedule 5 or 6 to the Wildlife and Countryside Act 1981) and, before 1st April 2020, stoat.

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

The trap may be used only for the purpose of killing grey squirrels, mink, rabbits, weasels, rats, mice, other small ground vermin (except for those species listed in Schedule 5 or 6 to the Wildlife and Countryside Act 1981) and, before 1st April 2020, stoat.

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

The trap may be used only for the purpose of killing grey squirrels.

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

The trap may be used only for the purpose of killing grey squirrels and rats.

The trap must be so placed that it can only be entered by way of an artificial tunnel which is suitable for the purpose.

The trap may be used only for the purpose of killing mink.

The trap must be so placed that it can only be entered by way of an artificial tunnel which is suitable for the purpose.

The trap may be used only for the purpose of killing rats and mice.

The trap must be so placed that it can only be entered by way of an artificial tunnel which is suitable for the purpose.

The trap may be used only for the purpose of killing stoats, rats, weasels and mice.

The trap must be so placed that it can only be entered by way of an artificial tunnel which is suitable for the purpose.

The trap may be used only for the purpose of killing grey squirrels, mink, weasels, edible dormice (*Glis glis*)⁽²⁾, rats, mice, other small ground vermin (except for those species listed in Schedule 5 or 6 to the Wildlife and Countryside Act 1981), and, before 1st April 2020, stoat.

The trap must be set within the housing

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

KORO Large Rodent Double Coil Spring Snap Trap manufactured by or under the authority of Koro Traps, Box 5 Grp.22 RR2, Dugald, Manitoba, R0E 0K0, Canada.

KORO Rodent Snap Trap manufactured by or under the authority of Koro Traps, Box 5 Grp.22 RR2, Dugald, Manitoba, R0E 0K0, Canada.

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.

Procoll Trap manufactured by or under the authority of Elgeeco, 108 Downlands Way, South Wonston, Winchester, Hampshire, SO21 3HS.

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

Solway Spring Trap Mk4 manufactured by or under the authority of Solway Feeders Ltd., Main Street, Dundrennan, Kirkcudbright, DG6 4QH.

Solway Spring Trap Mk6 manufactured by or under the authority of Solway Feeders Ltd., Main Street, Dundrennan, Kirkcudbright, DG6 4QH.

Springer No. 4 Multi-purpose (Heavy Duty)

provided by the manufacturer.

The trap may be used only for the purpose of killing grey squirrels, mink, rabbits, weasels, edible dormice (*Glis glis*)⁽³⁾, rats, mice and, before 1st April 2020, stoat.

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

The trap may be used only for the purpose of killing grey squirrels and rats.

The trap must be so positioned that animals can only enter it from the front, and set within an artificial blind tunnel which is suitable for the purpose. (The front is the side from which the letters KORO can be read face-on and the correct way up.)

The trap may be used only for the purpose of killing rats and weasels.

The trap must be so positioned that animals can only enter it from the front, and set within an artificial blind tunnel which is suitable for the purpose. (The front is the side from which the letters KORO can be read face-on and the correct way up.)

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

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

The trap may be used only for the purpose of killing mice.

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

The trap may be used only for the purpose of killing grey squirrels.

The trap may be used only for the purpose of 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 may be used only for the purpose of killing grey squirrels, weasels, edible dormice (*Glis glis*)⁽⁴⁾, rats, mice and, before 1st April 2020, stoat.

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

The trap may be used only for the purpose of killing grey squirrels, mink, rabbits, weasels, edible dormice (*Glis glis*)⁽⁵⁾, rats, mice and, before 1st April 2020, stoat.

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

The trap may be used only for the purpose of

manufactured by or under the authority of AB County Products Ltd., Unit 3, Wellington Works, 15 The High Street, Redditch, Worcestershire.

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.

Tully Trap manufactured by or under the authority of KM Pressings Ltd, 37B Copenhagen Road, Sutton Fields Industrial Estate, Hull, East Yorkshire, HU7 0XQ.

VS squirrel trap manufactured by, or under licence from, Pescon Services, 394 York Road, Stevenage, Hertfordshire, SH1 4EN.

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.

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

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.

killing grey squirrels, weasels, rats, mice, other small ground vermin (except for those species listed in Schedule 5 or 6 to the Wildlife and Countryside Act 1981) and, before 1st April 2020, stoat.

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

The trap may be used only for the purpose of killing grey squirrels, mink, rabbits, weasels, rats, mice, other small ground vermin (except for those species listed in Schedule 5 or 6 to the Wildlife and Countryside Act 1981) and, before 1st April 2020, stoat.

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

The trap may be used only for the purpose of killing stoats, weasels and rats.

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

The trap may be used only for the purpose of killing grey squirrels.

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

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

The trap may be used only for the purpose of killing grey squirrels, mink, weasels, rats and, before 1st April 2020, stoat.

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

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

The trap must be set within a sewer, drainpipe, or similar structure.

⁽¹⁾ 1981 c. 69. Schedule 5 was amended by S.I. 1991/367, 1992/2350, 1998/878; 2007/1843, 2008/431, 2172 and 2011/2015.

⁽²⁾ See, however, section 11(2)(b) of, and Schedule 6 to, the Wildlife and Countryside Act 1981. 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.

⁽³⁾ See footnote (2).

⁽⁴⁾ See footnote (2).

⁽⁵⁾ See footnote (2).

EXPLANATORY NOTE

(This note is not part of the Order)

Under section 8 of the Pests Act 1954 (c. 68), it is an offence to use or knowingly to permit the use of any spring trap, other than a trap that has been approved by Order, for animals or in circumstances for which it is not approved.

This Order revokes and replaces the Spring Traps Approval Order 2012 (S.I. 2012/13), which approved types of spring trap for use in England and two subsequent variation Orders (article 3).

Article 2 specifies approved traps, namely those listed in Column 1 of the Schedule and others which are equivalent in all relevant respects to those so listed. Conditions attached to the approval of each type of trap are specified in Column 2 of the Schedule.

This Order was notified in draft to the European Commission in accordance with Directive (EU) 2015/1535 of the European Parliament and of the Council of 9 September 2015 laying down a procedure for the provision of information in the field of technical regulations and of rules on Information Society services (OJ No. L 241, 17.9.2015, p.1).

An impact assessment has not been produced for this instrument as no impact on the private or voluntary sector is foreseen.

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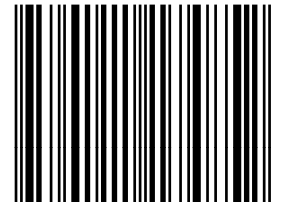
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