



Notification Number: 2011/465/UK

## The Spring Traps Approval (Wales) Order 2012

Date received : 12/09/2011

End of Standstill : 13/12/2011

Issue of comments by : Commission

### Message

Message 001

Communication from the Commission - SG(2011) D/52128

Directive 98/34/EC

Notificación - Oznámení - Notifikation - Notifizierung - Teavitamine - Γνωστοποίηση - Notification - Notification - Notifica - Pietiekums - Pranešimas - Bejelerentes - Notifika - Kennisgeving - Zawiadomienie - Notificacão - Hlášenie-Obvestilo - Ilmoitus - Anmälan - Нотификация : 2011/0465/UK - Notificare.

No abre el plazo - Nezahtuje odklady - Fristerne indledes ikke - Kein Fristbeginn - Viivituste perioodi ei avata - Καμμία έναρξη προθεσμίας - Does not open the delays - N'ouvre pas de délais - Non fa decorrere la mora - Neietekmē atlikšanu - Atidėjimai nepradedami - Nem nyitja meg a késéset - Ma' jiftaħ il-perijodi ta' dawmien - Geen termijnbegin - Nie otwiera opóźnień - Nao inicia o prazo - Neotvorí oneskorenia - Ne uvaja zamud - Määräaika ei ala tästä - Inleder ingen frist - He ce предвижда период на прекъсване - Nu deschide perioadele de stagnare - Nu deschide perioadele de stagnare.

(MSG: 201102128.EN)

#### 1. Structured Information Line

MSG 001 IND 2011 0465 UK EN 12-09-2011 UK NOTIF

#### 2. Member State

UK

#### 3. Department Responsible

Department for Business, Innovation and Skills  
Knowledge & Innovation Group  
1 Victoria Street, London, SW1H 0ET.

Email: 9834@bis.gsi.gov.uk.

#### 3. Originating Department

Welsh Government  
Sustainability and Environmental Evidence Division  
Rhodfa Padarn



Llanbadarn Fawr  
Aberystwyth  
SY23 3UR

**4. Notification Number**

2011/0465/UK - C20A

**5. Title**

The Spring Traps Approval (Wales) Order 2012

**6. Products Concerned**

Spring traps (for animals - including kill traps and live capture traps)

**7. Notification Under Another Act**

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**8. Main Content**

We propose that the list of approved traps on The Spring Traps Approval (Wales) Order 2010, is to be updated by way of a Welsh Statutory Instrument under powers contained in section 8 of the Pests Act 1954. Those powers were transferred to the National Assembly for Wales by SI 1999/672 and now vest in the Welsh Ministers by virtue of section 162 of and paragraphs 30 and 32 of Schedule 11 to the Government of Wales Act 2006. The proposed Order will incorporate both the existing approved traps and the new ones which are to be approved, and revokes the current Order so that is no longer in force,

The Spring Traps Approval (Wales) Order 2012 (draft) lists spring traps which are approved for the purposes of section 8(3) of the Pests Act 1954.

Approval of spring traps:

(a) any spring trap-

(i) of a type and make specified in any entry in column (1) of the Schedule; and

(ii) which is or was manufactured by or under authority of the person or company specified in that entry; 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) of this article relating to any spring trap specified in any entry in column (1) of the Schedule, and to any spring trap equivalent in all relevant respects to a spring trap so specified, are subject to the conditions as to the animals for which and the circumstances in which the spring trap may be used specified in the corresponding entry in column (2) of the Schedule.

(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 the Schedule 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 relevant to its effect or manner of operation as a trap.

**9. Brief Statement of Grounds**

This draft Order specifies "approved traps" in Wales for the purposes of section 8 of The Pests Act 1954, and section 8 provides for various offences in relation to the use, exposure for sale and possession of traps other than "approved traps".



The Order is made under S.8(3) of The Pests Act 1954, a provision which allows the Welsh Government to specify by Order the types and makes of spring trap which are to be approved for the purposes of that section. S.8(1)(a) creates an offence in relation to the use of traps other than approved traps (or of approved traps for animals or in circumstances for which they are not approved). S.8(1)(b) and (c) create offences in relation to the sale or possession of such traps.

#### **10. Reference Documents - Basic Texts**

References of the Basic Texts: Please find the attached link to The Pest Act 1954.  
<http://www.legislation.gov.uk/ukpga/Eliz2/2-3/68/contents>

#### **11. Invocation of the Emergency Procedure**

No

#### **12. Grounds for the Emergency**

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#### **13. Confidentiality**

No

#### **14. Fiscal measures**

No

#### **15. Impact assessment**

Impact Assessment not available

#### **16. TBT and SPS aspects**

TBT aspect

No - The draft has no significant impact on international trade

SPS aspect

No - The draft has no significant impact on international trade

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