



Notification Number: 2011/387/UK

## The Spring Traps Approval (Scotland) Order 2011

Date received : 25/07/2011

End of Standstill : 26/10/2011

Issue of comments by : Commission

### Message

Message 001

Communication from the Commission - SG(2011) D/51775

Directive 98/34/EC

Notificación - Oznámení - Notifikation - Notifizierung - Teavitamine - Γνωστοποίηση - Notification - Notification - Notifica - Pieteikums - Pranešimas - Bejelentés - Notifika - Kennisgeving - Zawiadomienie - Notificação - Hlásenie-Obvestilo - Ilmoitus - Anmälan - Нотификация : 2011/0387/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 késések - 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 - Не се предвижда период на прекъсване - Nu deschide perioadele de stagnare - Nu deschide perioadele de stagnare.

(MSG: 201101775.EN)

#### 1. Structured Information Line

MSG 001 IND 2011 0387 UK EN 25-07-2011 UK NOTIF

#### 2. Member State

UK

#### 3. Department Responsible

Department for Business, Innovation and Skills  
Knowledge and Innovation Group  
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#### 3. Originating Department

Scottish Government, Wildlife Management Branch, Natural Resources Division, Rural and Environment Directorate, Area 1D North, Victoria Quay, Edinburgh, EH6 6QQ



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#### 4. Notification Number

2011/0387/UK - C20A

#### 5. Title

The Spring Traps Approval (Scotland) Order 2011

#### 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 (Scotland) Order 1996, is to be updated by way of a Scottish Statutory Instrument (SSI) consolidation order under section 50(3) of the Agriculture (Scotland) Act 1948, which would incorporate both the existing approved traps and the new ones which are to be approved, and revokes the current order so that it is no longer in force.

1.The Spring Traps Approval (Scotland) Order 2011 (draft) lists spring traps which are approved for the purposes of section 50 of the Agriculture (Scotland) Act 1948.

Approval of spring traps:

- (a) any spring trap of a type and make specified in column (1) of the Schedule; and
- (b) any trap which corresponds to a 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 (an "equivalent trap").

2.The approvals given by paragraph (1) are subject to the conditions specified in the corresponding entry in column (2) of the Schedule as to the animals for which, and the circumstances in which, the spring trap (or equivalent trap) may be used.

#### 9. Brief Statement of Grounds

This draft Order specifies "approved traps" in Scotland for the purposes of section 50 of the Agriculture (Scotland) Act 1948, and section 50 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.50(3) of the Agriculture (Scotland) Act 1948, a provision which allows the Scottish Government to specify by Order the types and makes of spring trap which are to be approved for the purposes of that section (s.85(3) is included only to enable the revoking provision). S.50(1)(b) 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.50(1)(c) and (d) 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 Agriculture Scotland Act 1948.



**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**

The draft Order will not have a significant impact on the costs to business.

**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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