



Notification Number: 2018/453/UK

The Spring Traps Approval (Scotland) Amendment Order 2018

Date received : 12/09/2018

End of Standstill : 13/12/2018

Message

Message 001

Communication from the Commission - TRIS/(2018) 02448

Directive (EU) 2015/1535

Notificación - Oznámení - Notifikation - Notifizierung - Teavitamine - Γνωστοποίηση - Notification - Notification - Notifica - Pieteikums - Pranešimas - Bejelentés - Notifika - Kennisgeving - Zawiadomienie - Notificação - Hlásenie-Obvestilo - Ilmoitus - Anmälan - Нотификация : 2018/0453/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 - Não 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: 201802448.EN)

1. Structured Information Line

MSG 001 IND 2018 0453 UK EN 12-09-2018 UK NOTIF

2. Member State

UK

3. Department Responsible

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Europe Directorate
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3. Originating Department

Wildlife and Protected Areas
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4. Notification Number

2018/0453/UK - C20A

5. Title

The Spring Traps Approval (Scotland) Amendment Order 2018

6. Products Concerned

Spring Traps

7. Notification Under Another Act

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8. Main Content

Under the Agriculture (Scotland) Act 1948, spring traps are prohibited in Scotland unless approved by the Scottish Government via a Spring Traps Approval Order.

The regulation is to be made under s85(3) of the Agriculture (Scotland) Act 1948, a provision which allows us 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).

Section.50(1) creates an offence in relation to the use 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.

Section 50(3) of that Act allows the Scottish Ministers to specify by order the types and makes of trap which are to be approved for the purposes of that section.

This regulation which is to be made under that provision amends the Spring Traps Approval (Scotland) Order 2011 (SSI. 2011/393).

This regulation adds nine types of spring trap to those approved for use in Scotland, adds to the target species against which one of the traps previously approved may be used, and amends the conditions of use in column (2) of four traps. This regulation also removes eight types of approved spring trap which have been out of production for some time and are seldom used to trap any permitted target species.

It also removes stoat as a permitted target species for eleven approved traps. However, we have agreed with stakeholders to delay this removal until 1 April 2020 to give the sector sufficient time to manufacture, supply and deploy humane stoat traps.



The 2011 Order was notified and cleared in 2011 (reference Notification: 2011/0387/UK)

9. Brief Statement of Grounds

Spring traps are used to control certain wild animals that cause problems for people.

10. Reference Documents - Basic Texts

References of the Basic Texts: Agriculture (Scotland) Act 1948, Section 50

Subject to the provisions of this section, a person shall be guilty of an offence under this subsection if -
(b) for the purpose of killing or taking animals, he uses, or knowingly permits the use of, any spring trap other than an approved trap, or uses, or knowingly permits the use of, an approved trap for animals or in circumstances for which it is not approved; or

(c) he sells, or exposes or offers for sale, any spring trap other than an approved trap with a view to its being used for a purpose which is unlawful under the last foregoing paragraph; or

(d) he has any spring trap in his possession for a purpose which is unlawful under this subsection.

(3) In this section any reference to an approved trap refers to a trap of a type and make for the time being specified by order of the Secretary of State as approved by him either generally or subject to conditions as to the animals for which or the circumstances in which it may be used, and any reference to the animals or circumstances for which a trap is approved shall be construed accordingly.

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

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

16. TBT and SPS aspects

TBT aspect

No - The draft has no significant impact on international trade

SPS aspect



EUROPEAN COMMISSION
GROWTH DIRECTORATE-GENERAL

Single Market for goods
Prevention of Technical Barriers

No - The draft is not a sanitary or phytosanitary measure

European Commission

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