STATUTORY INSTRUMENTS

1967 No. 1872

ANIMALS

DESTRUCTIVE ANIMALS

The Mink (Keeping) Regulations 1967

Made - - -	14*th December* 1967
Coming into Operation—	
Subparagraphs (f) and (g) of Regulation 3(1)	1*st October* 1968
Remainder	1*st January* 1968

The Minister of Agriculture, Fisheries and Food and the Secretary of State for Scotland in exercise of the power vested in them by section 2 of the Destructive Imported Animals Act 1932(**a**) and of all other powers enabling them in that behalf, acting jointly, with the approval of the Treasury, hereby make the following Regulations:—

Citation and commencement

1.—(1) These Regulations may be cited as the Mink (Keeping) Regulations 1967.

(2) These Regulations, with the exception of subparagraphs (*f*) and (*g*) of Regulation 3(1), shall come into operation on the 1st January 1968.

(3) Subparagraphs (*f*) and (*g*) of Regulation 3(1) shall come into operation on the 1st October 1968.

Interpretation

2.—(1) In these Regulations, unless the context otherwise requires,

"the Act" means the Destructive Imported Animals Act 1932;

"cage-trap" means a cage, trap or box designed or adapted for the catching alive of mink;

"mink" means the animal of the species designated *Mustela vison.*

(2) The Interpretation Act 1889(**b**) shall apply to the interpretation of these Regulations as it applies to the interpretation of an Act of Parliament.

Manner of keeping mink and precautions against escape

3.—(1) Any mink kept under a licence granted in accordance with section 3 of the Act shall, when not in the course of being transported from place to place, be confined in accordance with the following requirements:—

(*a*) Mink shall be kept in cages or other containers constructed from such materials and in such manner as to prevent escape. Such cages or other containers shall be kept within an enclosure or building which satisfies the requirements of these Regulations.

(**a**) 1932 c. 12. (**b**) 1889 c. 63.

(*b*) Enclosures shall be bounded by a guard fence consisting of wire netting of not less than 18 gauge with a mesh not greater than 1 inch. The fence shall be not less than 4 feet high above ground level. The base of the fence shall be buried in the ground to a depth of at least 12 inches and turned outwards at the bottom at right angles for at least 6 inches, or shall be embedded in a trench of the same depth the bottom of which shall be provided with a foundation at least 6 inches wide on each side and at least 6 inches deep of either concrete or of consolidated hard core of brick or concrete rubble or of similar solid and durable material. At the top of the fence there shall be flat sheet metal at least 12 inches deep securely attached to the inside of the wire netting and to any fence posts inside the enclosure so as to form a continuous baffle leaving no gap between the wire and the sheet metal.

(*c*) Such parts of buildings as are not constructed in such a manner and of such materials as to prevent the escape of mink shall be enclosed with wire netting of not less than 18 gauge with a mesh not greater than 1 inch. The base of the wire netting shall be dealt with as required in paragraph (*b*) for the base of guard fencing.

(*d*) Gates and doors leading through guard fences surrounding enclosures or buildings shall close tightly on to a threshold or sill with a base consisting of wire netting buried in the ground and provided with a foundation as required in paragraph (*b*) for the base of guard fencing.

(*e*) No objects shall be placed near the inside of the guard fence of any enclosure in which mink are kept other than—

(i) nest boxes or cages not more than 18 inches in height, or
(ii) cage-traps not more than 18 inches in height.

(*f*) In every enclosure or building in which mink are kept there shall be placed and maintained one or more, up to a maximum number of 10, cage-traps as follows:—

(i) where not more than 400 mink are so kept one cage-trap, and
(ii) where more than 400 mink are so kept one cage-trap for each complete number of 400 mink and one additional cage-trap for any remaining mink:

Provided that this requirement shall not preclude the placing and maintaining of cage-traps in excess of those required as above.

(*g*) The area immediately outside a guard fence shall be kept clear of undergrowth to a distance of at least 3 feet from the guard fence, except where it appears to the Minister of Agriculture, Fisheries and Food or the Secretary of State for Scotland, as the case may be, that compliance with this requirement may for any reason be dispensed with.

(*h*) A strip of at least 4 feet in width along the inside of the guard fence shall be kept clear of undergrowth.

(*i*) Where trees are growing within a guard fence, a baffle of sheet metal at least 12 inches deep shall encircle the trunk of each tree of which the branches overhang or are within 4 feet of the guard fence. The bottom edge of the baffle shall be approximately 4 feet from the ground and it shall be fixed in such a way as to prevent mink from climbing between the baffle and the tree trunk. The tree shall be kept trimmed of branches growing or hanging below the baffle.

(2) No mink shall be transported from place to place except in closed cages or other containers constructed in such manner and of such materials as to prevent their escape.

(3) Steps shall be taken to destroy as far as practicable any rats on the premises of the licence-holder in and adjoining any enclosure or building containing mink. Rat holes or other holes through which mink could escape from such premises shall be effectively blocked. Any drainage channels on such premises shall be adequately guarded to prevent mink from escaping.

(4) In any particular case the requirements of the foregoing paragraphs may be modified, and further requirements imposed, by the aforesaid licence according to the nature and situation of the premises at which the mink are to be kept, and in respect of premises at which mink are being kept on the 1st January 1968 according to any existing precautions to prevent the escape of mink.

Licences

4.—(1) A licence granted in accordance with section 3 of the Act authorising the keeping of mink shall be in the form set out in the Schedule to these Regulations or in a form to the like effect and subject to the terms and conditions therein mentioned, and shall, subject to section 3(*b*) of the Act, be in force for a period of 12 months beginning with the date on which it purports to come into effect.

(2) On the granting of a licence in accordance with section 3 of the Act there shall be paid to the Minister of Agriculture, Fisheries and Food or to the Secretary of State for Scotland, as the case may be, a fee of £3.

In Witness whereof the official seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 8th December 1967.

(L.S.)

Frederick Peart,
Minister of Agriculture,
Fisheries and Food.

Given under the seal of the Secretary of State for Scotland on 12th December 1967.

(L.S.)

William Ross,
Secretary of State for Scotland.

Approved on 14th December 1967.

E. Alan Fitch,
J. McCann,
Two of the Lords Commissioners
of Her Majesty's Treasury.

SCHEDULE

Form of Licence Authorising the Keeping of Mink

Destructive Imported Animals Act 1932

The Mink (Keeping) Regulations 1967

1. ..... of.....
.....(hereinafter called "the holder") is hereby authorised to keep mink at.....

2. This licence is granted subject to compliance by the holder with the requirements set out in Regulation 3 of the above-mentioned Regulations modified in the following respects: .....
.....
.....
.....
.....

3. The holder shall inform persons to whom he disposes of mink of their obligation to obtain a licence to keep them.

4. The holder shall give notice to the Ministry of Agriculture, Fisheries and Food, or the Department of Agriculture and Fisheries for Scotland, as appropriate, of any change in the occupancy of any premises at which mink are kept under the authority of this licence and if mink cease to be kept at any such premises.

5. The holder, within seven days of being so required by the Ministry of Agriculture, Fisheries and Food or the Department of Agriculture and Fisheries for Scotland, as the case may be, shall make a return in writing to the said Ministry or the said Department, as appropriate, stating the number of each sex of mink kept by him under the authority of this licence on such date as may be specified.

6. The holder shall give notice in writing to the Ministry of Agriculture, Fisheries and Food, or the Department of Agriculture and Fisheries for Scotland, as appropriate, of any proposed alteration to a guard fence or to a baffle attached to a guard fence at least 14 days before the day on which he proposes to make the alteration.

7. If any mink shall escape, the holder shall forthwith give notice to the Ministry of Agriculture, Fisheries and Food, or the Department of Agriculture and Fisheries for Scotland, as appropriate, at the address given on this licence.

8. This licence may be revoked if it shown to the satisfaction of..... that the holder has failed to comply with any term of this licence or any of the above-mentioned Regulations or has been convicted of an offence under the above-mentioned Act.

9. The holder shall at all reasonable times permit any person duly authorised in that behalf by....., upon production of his authority if so required, to enter and inspect any land occupied by the holder at which he is entitled to keep mink under the authority of this licence.

10. The holder shall comply with the following further requirements and conditions:—

.....
.....
.....
.....

11. This licence shall, subject to paragraph 8, be in force from..... to.....(both dates inclusive).

Dated this 19 .

for and on behalf of

Extract from the Mink (Keeping) Regulations 1967.

"*Manner of keeping mink and precautions against escape*

3.—(1) Any mink kept under a licence granted in accordance with section 3 of the Act shall, when not in the course of being transported from place to place, be confined in accordance with the following requirements:—

(*a*) Mink shall be kept in cages or other containers constructed from such materials and in such manner as to prevent escape. Such cages or other containers shall be kept within an enclosure or building which satisfies the requirements of these Regulations.

(*b*) Enclosures shall be bounded by a guard fence consisting of wire netting of not less than 18 gauge with a mesh not greater than 1 inch. The fence shall be not less than 4 feet high above ground level. The base of the fence shall be buried in the ground to a depth of at least 12 inches and turned outwards at the bottom at right angles for at least 6 inches, or shall be embedded in a trench of the same depth the bottom of which shall be provided with a foundation at least 6 inches wide on each side and at least 6 inches deep of either concrete or of consolidated hard core of brick or concrete rubble or of similar solid and durable material. At the top of the fence there shall be flat sheet metal at least 12 inches deep securely attached to the inside of the wire netting and to any fence posts inside the enclosure so as to form a continuous baffle leaving no gap between the wire and the sheet metal.

(*c*) Such parts of buildings as are not constructed in such a manner and of such materials as to prevent the escape of mink shall be enclosed with wire netting of not less than 18 gauge with a mesh not greater than 1 inch. The base of the wire netting shall be dealt with as required in paragraph (b) for the base of guard fencing.

(*d*) Gates and doors leading through guard fences surrounding enclosures or buildings shall close tightly on to a threshold or sill with a base consisting of wire netting buried in the ground and provided with a foundation as required in paragraph (b) for the base of guard fencing.

(*e*) No objects shall be placed near the inside of the guard fence of any enclosure in which mink are kept other than—

(i) nest boxes or cages not more than 18 inches in height, or
(ii) cage-traps not more than 18 inches in height.

(*f*) In every enclosure or building in which mink are kept there shall be placed and maintained one or more, up to a maximum number of 10, cage-traps as follows:—

(i) where not more than 400 mink are so kept one cage-trap, and
(ii) where more than 400 mink are so kept one cage-trap for each complete number of 400 mink and one additional cage-trap for any remaining mink:

Provided that this requirement shall not preclude the placing and maintaining of cage-traps in excess of those required as above.

(*g*) The area immediately outside a guard fence shall be kept clear of undergrowth to a distance of at least 3 feet from the guard fence, except where it appears to the Minister of Agriculture, Fisheries and Food or the Secretary of State for Scotland, as the case may be, that compliance with this requirement may for any reason be dispensed with.

(*h*) A strip of at least 4 feet in width along the inside of the guard fence shall be kept clear of undergrowth.

(*i*) Where trees are growing within a guard fence, a baffle of sheet metal at least 12 inches deep shall encircle the trunk of each tree of which the branches overhang or are within 4 feet of the guard fence. The bottom edge of the baffle shall be approximately 4 feet from the ground and it shall be fixed in such a way as to prevent mink from climbing between the baffle and the tree trunk. The tree shall be kept trimmed of branches growing or hanging below the baffle.

(2) No mink shall be transported from place to place except in closed cages or other containers constructed in such manner and of such material as to prevent their escape.

(3) Steps shall be taken to destroy as far as practicable any rats on the premises of the licence-holder in and adjoining any enclosure or building containing mink. Rat holes or other holes through which mink could escape from such premises shall be effectively blocked. Any drainage channels on such premises shall be adequately guarded to prevent mink from escaping.

(4) In any particular case the requirements of the foregoing paragraphs may be modified, and further requirements imposed, by the aforesaid licence according to the nature and situation of the premises at which the mink are to be kept, and in respect of premises at which mink are being kept on the 1st January 1968 according to any existing precautions to prevent the escape of mink."

Note: The date of coming into force of the above Regulations, except for sub-paragraphs (f) and (g) of Regulation 3(1), is 1st January 1968; for those sub-paragraphs it is 1st October 1968.

EXPLANATORY NOTE

(*This Note is not part of the Regulations.*)

These Regulations prescribe the manner in which mink are to be kept in Great Britain and the precautions to be taken to prevent their escape. They also prescribe the form of licence to be granted to persons keeping mink and the fee to be paid for such a licence.