STATUTORY INSTRUMENTS

# 1970 No. 128 (S.5)

## ANIMALS

### PREVENTION OF CRUELTY

# The Spring Traps Approval (Scotland) Amendment Order 1970

| | |
|---|---|
| *Made* - - - | *29th January* 1970 |
| *Coming into Operation* | *1st February* 1970 |

In exercise of the powers conferred upon him by sections 50(3) and 85(3) of the Agriculture (Scotland) Act 1948(a) as amended by section 10 of the Pests Act 1954(b) and of all other powers enabling him in that behalf, the Secretary of State hereby makes the following order:—

*Citation, commencement and interpretation*

**1.**—(1) This order may be cited as the Spring Traps Approval (Scotland) Amendment Order 1970 and shall come into operation on 1st February 1970.

(2) The Interpretation Act 1889(c) shall apply for the interpretation of this order as it applies for the interpretation of an Act of Parliament.

*Amendment of Order*

**2.** The Schedule to the Spring Traps Approval (Scotland) Order 1958(d) as amended by the Spring Traps Approval (Scotland) Amendment Order 1966(e) and the Spring Traps Approval (Scotland) Amendment Order 1968(f) (which sets out the types and makes of traps approved for the purposes of section 50 of the Agriculture (Scotland) Act 1948 as amended by section 10 of the Pests Act 1954 and the conditions as to the animals for which and the circumstances in which traps so approved may be used) shall be further amended by making the following addition thereto:—

| *"Type and make of Trap* | *Conditions* |
|---|---|
| Fenn Vermin Trap Mark IV (Heavy Duty) manufactured by or under the authority of Mr. A. A. Fenn, of F.H.T. Works, High Street, Astwood Bank, Redditch, Worcestershire. | The trap shall be used only:—<br>(*a*) for the purpose of killing or taking grey squirrels or stoats, weasels, or other small ground vermin, and for that purpose shall be set only in tunnels whether natural or constructed for the purpose,<br>or<br>(*b*) for the purpose of killing or taking rats or mice and for that purpose shall be set only in the open on their runs or in tunnels whether natural or constructed for the purpose." |

(a) 1948 c. 45.
(b) 1954 c. 68.
(c) 1889 c. 63.
(d) S.I. 1958/1780 (1958 I, p. 160).
(e) S.I. 1966/844 (1966 II, p. 1983).
(f) S.I. 1968/676 (1968 I, p. 1513).

Given under the Seal of the Secretary of State for Scotland.

*H. Whitby,*
Secretary.

Department of Agriculture and Fisheries for Scotland,
St. Andrew's House,
Edinburgh.
29th January 1970.

## EXPLANATORY NOTE

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

It is an offence under section 50 of the Agriculture (Scotland) Act 1948 as amended by section 10 of the Pests Act 1954, to use for the purpose of killing or taking animals any spring trap other than one of a type and kind approved by the Secretary of State. By the Spring Traps Approval (Scotland) Order 1958 as amended by the Spring Traps Approval (Scotland) Amendment Order 1966 and the Spring Traps Approval (Scotland) Amendment Order 1968 the Secretary of State specified certain traps as approved and the conditions under which such traps might be lawfully used. This Amendment Order has the effect of adding the Fenn Vermin Trap Mark IV (Heavy Duty) to those already specified.