SCOTTISH STATUTORY INSTRUMENTS

# 2023 No. 340

# WILDLIFE

## The Spring Traps Approval (Scotland) Amendment Order 2023

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| *Made - - - -* | *9th November 2023* |
| *Laid before the Scottish Parliament* | *13th November 2023* |
| *Coming into force - -* | *1st January 2024* |

The Scottish Ministers make the following Order in exercise of the powers conferred by sections 50(3) and 85(3) of the Agriculture (Scotland) Act 1948(**a**) and all other powers enabling them to do so.

### Citation and commencement

**1.** This Order may be cited as the Spring Traps Approval (Scotland) Amendment Order 2023 and comes into force on 1 January 2024.

### Amendment of the Spring Traps Approval (Scotland) Order 2011

**2.** The schedule of the Spring Traps Approval (Scotland) Order 2011(**b**) is amended as follows—

(a) before entry 1 (BMI Magnum 55), insert the following entry—

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| "**A1. Aurotrap** manufactured by or under the authority of AUROCON Automated Rodent Control, Industrivej 35, 9600 Aars, Denmark. | The trap is to be used only for the purpose of killing or taking rats.<br><br>The trap must be set with an entrance extension or cover such as the manufacturer's 'crowlids', or be used in a tunnel, in such a way that minimises the chances of capturing, killing or injuring non-target species whilst not compromising the killing or taking of the target species.", |

(b) in Column (2) (conditions), corresponding to entries 2 to 7, 19 to 22 and 25, in each place where it occurs, omit "edible dormice (*Glis glis)",*

(c) in entry 16za (Spring Trap), for "Perdix Wildlife Supplies", substitute "Perdix Wildlife Solutions Limited",

(d) after entry 16a (Procull Trap), insert the following entry—

(**a**) 1948 c. 45. Section 50 was substituted by section 10 of the Pests Act 1954 (c. 68). The functions of the Secretary of State under sections 50 and 85(3), insofar as within devolved competence, were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c. 46).

(**b**) S.S.I. 2011/393, as amended by S.S.I. 2018/389 and S.S.I. 2020/417.

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| "**16aa. Quill Trap** manufactured by or under the authority of Quill Productions, Manor Farm, Pulham, Dorchester, Dorset, DT2 7EE. | The trap is to be used only for the purpose of killing or taking stoats, weasels and rats.<br><br>The trap must be set in a natural or artificial tunnel which is suitable for minimising the chances of capturing, killing or injuring non-target species whilst not compromising the killing or taking of target species.<br><br>The tunnel may be closed-end or a run-through configuration. The tunnel must include an internal baffle arrangement that conforms to the type described in the Quill Productions design specifications as set out in their trap use instructions published on SASA's website(**a**). The trap must be positioned in relation to the baffle or baffles and to the side of the tunnel so that it conforms with those specifications.", |

(e) after entry 18 (Skinns Superior Squirrel Trap), insert the following entries—

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| "**18a. Smart Catch** manufactured by or under the authority of Anticimex Innovation Centre A/S, Skovgaardsvej 23E, DK-3200 Helsinge, Denmark. | The trap is to be used only for the purpose of killing or taking rats and mice. |
| **18b. Smart Catch Mini** manufactured by or under the authority of Anticimex Innovation Centre A/S, Skovgaardsvej 23E, DK-3200, Helsinge, Denmark. | This trap is to be used only for the purpose of killing or taking rats. |
| **18c. Smart Pipe Long Life 110** (article number 141110), **Smart Pipe Long Life 160** (article number 141160), **Smart Pipe Long Life 200** (article number 141200), **Smart Pipe Long Life 250** (article number 141250), **Smart Pipe Long Life 250** (article number 141250), **Smart Pipe Long Life 300** (article number 141300), manufactured by or under the authority of Anticimex Innovation Centre A/S, Skovgaardsvej 23E, DK-3200, Helsinge, Denmark. | These traps is to be used only for the purpose of killing or taking rats.<br><br>These traps must be set in a sewer, drainpipe, or similar structure.", |

(**a**) www.sasa.gov.uk.

(f) omit entry 26 (Wise Trap 110, 160, 200 and 250).

*GILLIAN MARTIN*
Authorised to sign by the Scottish Ministers

St Andrew's House,
Edinburgh
9th November 2023

## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order amends the Spring Traps Approval (Scotland) Order 2011 ("the 2011 Order"). It comes into force on the 1 January 2024.

The 2011 Order specifies the types and makes of trap which are approved for use under section 50(1)(b) of the Agriculture Act 1948 ("the 1948 Act"). It is an offence to use a spring trap which is not approved for the purpose of that section and section 50(1)(c) of the 1948 Act creates offences relevant to unlawful use. This Order makes amendments to the categories of trap which are approved for use and amendments to the target species for traps approved for use.

No business and regulatory impact assessment has been prepared for this Order as no impact upon business, charities or voluntary bodies is anticipated.

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