STATUTORY INSTRUMENTS

2010 No. 2882

ANIMALS, ENGLAND

PREVENTION OF CRUELTY

The Spring Traps Approval (Variation) (England) Order 2010

Made - - - -	*1st December 2010*
Coming into force - -	*24th December 2010*

The Secretary of State makes the following Order in exercise of the powers conferred by section 8(3) and (7) of the Pests Act 1954(**a**) and now vested in the Secretary of State(**b**).

Citation, commencement and application

1. This Order—

(a) may be cited as the Spring Traps Approval (Variation) (England) Order 2010;

(b) comes into force on 24th December 2010; and

(c) applies in relation to England only(**c**).

Variation of the Spring Traps Approval Order 1995

2. Part 2 (England) of the Schedule to the Spring Traps Approval Order 1995(**d**) is varied—

(a) by inserting the following entry after the entry for the Solway Spring Trap Mk 6—

in Column (1) *Type and make of trap*	*in Column (2)* *Conditions*
"**VS squirrel trap** manufactured by, or under licence from, Pescon Services, 394 York Road, Stevenage, Hertfordshire, SG1 4EN.	The trap shall be used only for the purpose of killing grey squirrels. The trap must be set within the artificial tunnel supplied by the manufacturer as part of the trap, and used in accordance with the instructions (if any) provided by the manufacturer.";

(**a**) 1954 c. 68.

(**b**) The Minister of Agriculture and Fisheries was re-named "the Minister of Agriculture, Fisheries and Food" upon the transfer to him of the functions of the Minister of Food by S.I. 1955/554. The functions of the Minister of Agriculture, Fisheries and Food were transferred to the Secretary of State by S.I. 2002/794.

(**c**) The powers under section 8(3) and (7) of the Pests Act 1954 are devolved, in relation to Wales, to the Welsh Ministers: see the reference to the Pests Act 1954 in Schedule 1 to the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672), and paragraphs 30 and 32 of Schedule 11 to the Government of Wales Act 2006 (c. 32).

(**d**) S.I. 1995/2427, as varied (in relation to England) by S.I. 2007/2708, 2009/2166.

(b) by inserting the following entry after the entry for the WCS Tube Trap—

in Column (1) *Type and make of trap*	*in Column (2)* *Conditions*
"**WiseTrap 110** (article number 100110 or 110110), **WiseTrap 160** (article number 100160, 110160, 101160 or 111160), **WiseTrap 200** (article number 100200, 110200, 101200 or 111200), and **WiseTrap 250** (article number 101250 or 111250) manufactured by WiseCon A/S, Skovgaardsvej 25, DK-3200 Helsinge, Denmark.	The trap shall be used only for the purpose of killing rats. The trap must be set in a sewer, drainpipe, or similar structure, and used in accordance with the instructions (if any) provided by the manufacturer.".

Henley
Parliamentary Under Secretary of State
Department for Environment, Food and Rural Affairs

1st December 2010

EXPLANATORY NOTE

(This note is not part of the Order)

This Order varies the Spring Traps Approval Order 1995 ("the 1995 Order") in relation to England only.

Under section 8 of the Pests Act 1954 (c. 68), it is an offence to use or knowingly to permit the use of any spring trap, other than a trap that has been approved by order, for animals or in circumstances for which it is not approved. The 1995 Order approves types of spring trap for use in England and Wales, or (in some cases) for use in England only.

This Order adds the VS squirrel trap and the WiseTrap 110, WiseTrap 160, Wise Trap 200 and WiseTrap 250 spring traps to those approved for use in England (*article 2*).

An impact assessment has not been produced for this instrument as it has no impact on the costs of business or the voluntary sector.

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