

S.I. No. 620/2003 — Wildlife Act 1976 (Approved Traps, Snares and Nets) Regulations 2003

STATUTORY INSTRUMENTS

S.I. No. 620 of 2003

WILDLIFE ACT 1976 (APPROVED TRAPS, SNARES AND NETS) REGULATIONS 2003.

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Wildlife Act 1976 (Approved Traps, Snares and Nets) Regulations 2003

The Minister for the Environment, Heritage and Local Government, in exercise of the powers conferred on him by section 34(4) of the Wildlife Act 1976 (No. 39 of 1976), as amended by section 42 of the Wildlife (Amendment) Act 2000 (No. 38 of 2000) and the Heritage (Transfer of Departmental Administration and Ministerial Functions) Order 2002 (S.I. No. 356 of 2002) (and as adapted by the Environment and Local Government (Alteration of Name of Department and Title of Minister) Order 2003 (S.I. No. 233 of 2003)), hereby make the following regulations:

1. These Regulations may be cited as the Wildlife Act 1976 (Approved Traps, Snares and Nets) Regulations 2003.

2. In these Regulations -

“Act of 1976” means the Wildlife Act 1976 (No. 39 of 1976);

“Act of 2000” means the Wildlife Act 2000 (No. 38 of 2000);

“Minister” means the Minister for the Environment, Heritage and Local Government.

3. The following traps, snares and nets are declared to be approved of for the purposes of section 34 of the Act of 1976, as amended by section 42 of the Act of 2000:

(a)(i) a cage or net trap designed to capture alive wild birds or wild animals,

and

(ii) a spring trap which is not a gin trap and which is designed to secure either-

- (I) the immediate death, or
- (II) the immediate unconsciousness and subsequent death without intervening consciousness,

of wild birds or wild animals which it is designed to trap,

(b) a stop snare with a minimum length from noose to stop of 33 cm, in case it is intended to snare foxes, and 16.5 cm, in case it is intended to snare rabbits, and which complies with the following conditions:

- (i) it incorporates a swivel to facilitate twisting,
- (ii) it is designed so that when it is used it will be securely tied to a fixed object, and
- (iii) it is designed so that, for the purpose of avoiding catching large animals (for example deer, cattle or horses) by the leg when it is used, a jump bar, that is to say, a cross-bar at least 60 cm above the ground and supported by a pair of forked sticks not less than 60 cm apart, may also be used,

(c) a net designed to capture wild birds or wild animals,

(d) a stopped body restraint which complies with the following conditions:

- (i) it is made of multi-strand steel wire 3 mm in width,
- (ii) it incorporates a swivel to facilitate twisting,
- (iii) it is of a minimum length of 80 cm and intended to trap badgers in accordance with a licence granted for that purpose to the Department of Agriculture and Food under section 23(6) of the Act of 1976 as amended by section 31(b) of the Act of 2000,
- (iv) a metal runner is incorporated at one end of it which shall be 15mm by 3mm with 2 holes 4mm in diameter, a stop, a swivel and a “D” shackle; a ferrule is to act as the stop and shall be placed 32.5 cm from the end of the restraint to prevent strangulation of a limb or damage to other animals,
- (v) it is designed so that when it is used it will be securely tied to a fixed object.

4. Any trap, snare or net, other than a trap, snare or net specified in Regulation 3 of these Regulations, is declared to be a trap, snare or net to which section 34(6) of the Act of 1976, as amended by section 42(f) of the Act of 2000, applies.
5. The Wildlife Act 1976 (Approved Traps, Snares and Nets) Regulations 1977 (S.I. No. 307 of 1977) are revoked.

Given under the Official Seal of the Minister for
the Environment, Heritage and Local Government,
this 19th day of November 2003.

Martin Cullen.
Minister for the Environment, Heritage
and Local Government.

EXPLANATORY NOTE

(This note is not part of the Instrument and does not purport to be a legal interpretation)

These regulations replace the Wildlife Act 1976 (Approved Traps, Snares and Nets) Regulations 1977 (S.I. No. 307 of 1977) and declare what are approved traps, snares and nets for the taking or killing (as appropriate) of any wild bird, wild mammal or protected wild animal whether or not the taking or killing is done pursuant to a licence granted under the Wildlife Acts 1976 and 2000. The effect of Regulation 4 of the Regulations is to make it an offence to import without licence or sell any trap, snare or net which is not a trap, snare or net described in Regulation 3 (a), (b), (c) and (d).