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Title: Wildlife and Countryside Bill: Further Information Re Consultation Paper No 3 Prohibited Means and Methods of Killing and Trapping

Author(s): Department of the Environment

Source: Department of the Environment (1980). Wildlife and Countryside Bill: Further Information Re Consultation Paper No 3 Prohibited Means and Methods of Killing and Trapping. *Biology Curators Group Newsletter*, Vol 2 No 6, 284 - 289.

URL: <http://www.natsca.org/article/1760>

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B/104

Date

October 1979

Dear Sir,

WILDLIFE AND COUNTRYSIDE BILL: FURTHER INFORMATION RE CONSULTATION PAPER NO 3
PROHIBITED MEANS AND METHODS OF KILLING AND TRAPPING

1. On 20 August Consultation Paper No 3 on Species Protection was circulated in which proposals for prohibiting certain methods of killing and trapping mammals were outlined with a provisional list of prohibited means (Appendix 9).
2. As a result of the comments we have received, and consultation with the Ministry of Agriculture Fisheries and Food we have arrived at a list of pest species of mammal (Annex I) and a revised form of Appendix 9 (Annex II). It is proposed that the methods listed in Annex II will apply to all species except listed pests (Annex I). Their use on pests will be subject to existing legislation which will in no way be weakened by the Act, and to the general proviso that prohibited means may only be used for pest control purposes by authorised persons. Thus existing regulations and control of poisons, traps, etc currently in force will continue. A summary list of methods of killing at present prohibited or restricted is enclosed for information (Annex III). The proposed prohibitions apply totally to non-pest species so the net result is that the laws relating to pests remain unchanged but further protection is afforded to other species. Provisions will be made for licensing the use of the prohibited methods where there is local infestation by species otherwise protected.
3. Also attached is a revised list of prohibited means and methods of killing, capture and other forms of exploitation of birds. The list now includes not only those methods and means listed in the EEC Directive on the Conservation of Birds but also the prohibitions listed in the Protection of Birds Acts 1954-1967 and an item proposed during consultations, chemical wetting agents.

J C GOLDSMITH

PEST SPECIES OF MAMMAL

Badger

Mole

Rabbit

Grey Squirrel

Rats

Mice

Fox

Deer

Hare

Stoat

Pine Martin

Weasel

Mink

Hedgehog

Coypu

Pole-cat

Wild-cat

APPENDIX 9

PROHIBITED MEANS AND METHODS OF KILLING, CAPTURE AND OTHER FORMS OF EXPLOITATION

MAMMALS

- * Snares
 - Live animals which are blind or mutilated used as decoys
 - Tape recordings used to decoy animals
 - Electrical devices capable of killing and stunning
 - Use of artificial light sources to attract mammals
 - Mirrors and other dazzling devices
 - Devices for illuminating targets
 - Sighting devices for night shooting comprising an electronic image intensifier or image converter
 - Explosives (except cartridges and bullets)
 - Nets (1)
- * Traps (1)
- * Poison and poisoned or anaesthetic bait (including gas)
 - Gassing and smoking out
- * Semi-automatic or automatic weapons with a magazine capable of holding more than two rounds of ammunition
- * Use of aircraft to pursue and overtake animals
- * Use of motor vehicles in motion to pursue and take mammals.
 - Bows and Crossbows

(1) if applied for large scale or non-selective capture or killing,
 * subject to existing legislation

METHODS OF KILLING AT PRESENT PROHIBITED OR RESTRICTED

- BADGERS:**
1. Badger Tongs.
 2. Any firearm other than a smooth bore weapon of not less than 20 bore or a rifle using ammunition having a muzzle energy of not less than 160 footpounds and a bullet weighing not less than 38 grains. MAFF have permission to use .22 pistols to despatch badgers.
 3. All poisons
 - other than under licence.
- MOLES:**
1. All poisons except strychnine and gassing substances.
 2. Spring traps other than those specified in SI 1958/24.
- RABBITS:**
1. All poisons except gassing substances.
 2. Spring traps other than those specified in SI 1975/1647.
 3. Myxomatosis (deliberate spreading of).
- GREY SQUIRRELS:**
1. All poisons except warfarin.
 2. Spring traps other than those specified in SI 1975/1647.
- RATS AND MICE:**
1. The poisons yellow phosphorus, red squill and strychnine. Fluoroacetic acid and a salt thereof or fluoroacetanide, salts of thallium, zinc phosphate for use as rodenticides require a permit from MAFF.
 2. Spring traps other than those specified in SI 1975/164 and SI 1958/24.
- FOXES:**
1. All poisons except gassing substances, and strychnine under permit.
 2. All spring traps.
- DEER**
1. All poisons.
 2. Trap, snare, poisoned or stupefying bait.
 3. Any firearm or ammunition mentioned in Schedule 2 of the Deer Act 1963.
 4. Arrow, spear or similar missile.
 5. Any missile whether discharged from a firearm or otherwise carrying any poison, stupefying drug or muscle-relaxing agent.
 6. Discharge any firearm, or project any missile, from any mechanically propelled vehicle.
 - except under licence. Items 5 and 6 shall not apply to anything done by, or with the written authority of, the occupier of any enclosed land where deer are usually kept in relation to deer on that land.

- HARE: 1. All poisons.
 2. Spring traps.
- STOAT: 1. All poisons.
 2. Spring traps other than those specified in SI 1975/1647.
- PINE MARTIN: 1. All poisons.
 2. Spring traps.
- WEASEL: 1. All poisons.
 2. Spring traps other than those specified in SI 1975/1647.
- MINK: 1. All poisons.
 2. Spring traps other than those specified in SI 1975/1647.
- HEDGEHOG: 1. All poisons.
 2. Spring traps.
- COYPU: 1. All poisons except gasing substances.
 2. Spring traps. SI 1975/2222
- POLE-CAT: 1. All poisons.
 2. Spring traps other than those specified in SI 1975/1647.
- WILD-CAT: 1. All poisons.
 Scotland
 2. Spring traps.

APPENDIX 6

PROHIBITED MEANS AND METHODS OF KILLING, CAPTURE AND OTHER FORMS OF EXPLOITATION

BIRDS

- * Bird lime or any substance of a like nature
 - * Snares
 - * Hooks and lines
 - * Live birds used as decoys (including blind, maimed, mutilated and injured birds) whether or not tethered or secured by means of braces or other similar appliances
 - * Springs
 - * Gins
 - * Baited board
 - Chemical wetting agents
 - Tape recordings used to decoy birds
 - * Electrical devices capable of frightening, killing and stunning
 - * Use of artificial light sources to attract birds
 - * A shotgun of which the barrel has an internal diameter at the muzzle of more than 1 $\frac{1}{2}$ inches
 - Mirrors and other dazzling devices
 - Devices for illuminating targets
 - Sighting devices for night shooting comprising an electronic image intensifier and image converter
 - * Explosives (except cartridges and bullets)
 - Traps (an exception will be made for certain types of trap for the legitimate function of game bird rearing)
 - Nets (existing exceptions will be retained)
 - Poison
 - * Poisoned, poisonous or stupifying substances (including gas)
 - Semi-automatic or automatic weapons and with a magazine capable of holding more than 2 rounds of ammunition
 - Bows and crossbows
 - * Use of aircraft to pursue and take injure of kill birds
 - * Use of motor vehicles in motion to pursue and take injure or kill birds
 - * Use of boats fitted with an engine to pursue and take, injure or kill birds
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- * Subject to existing legislation