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STATUTORY INSTRUMENTS

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**2019 No. 1288**

**WILDLIFE, ENGLAND AND WALES**

**The Humane Trapping Standards  
(England and Wales) Regulations 2019**

<i>Made</i>	- - - -	<i>26th September 2019</i>
<i>Laid before Parliament</i>		<i>30th September 2019</i>
<i>Laid before the National Assembly for Wales</i>	- -	<i>30th September 2019</i>
<i>Coming into force</i>	- -	<i>1st April 2020</i>

The Secretary of State, in relation to England, and the Welsh Ministers, in relation to Wales, make these Regulations in exercise of the powers conferred by section 2(2) of the European Communities Act 1972(1).

The Secretary of State and the Welsh Ministers are Ministers designated for the purposes of section 2(2) of that Act in relation to wild animals(2).

**Citation, commencement, extent and application**

1.—(1) These Regulations may be cited as the Humane Trapping Standards (England and Wales) Regulations 2019 and come into force on 1st April 2020.

(2) These Regulations extend and apply to England and Wales.

**Amendment of the Wildlife and Countryside Act 1981**

2. After section 16(3) of the Wildlife and Countryside Act 1981(3) insert—

“(3ZZA) Subsection (3)(c), so far as relating to section 11(2)(1) in its application to *mustela erminea* (stoat, otherwise known as ermine), is to be read as if the reference to wild animals included wild birds.”.

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(1) 1972 c. 68; section 2(2) was amended by section 27(1)(a) of the Legislative and Regulatory Reform Act 2006 (c. 51) and Part 1 of the Schedule to the European Union (Amendment) Act 2008 (c. 7). It is prospectively repealed by section 1 of the European Union (Withdrawal) Act 2018 (c. 16) from exit day (see section 20 of that Act). The function of the former Minister of Agriculture, Fisheries and Food of making regulations under section 2(2) was transferred to the Secretary of State by S.I. 2002/794.

(2) S.I. 2014/1890, which is prospectively revoked by S.I. 2018/1011 from exit day.

(3) 1981 c. 69; section 16 was amended in particular by paragraph 6 of Schedule 12 to the Countryside and Rights of Way Act 2000 (c. 37).

(1) 1972 c. 68; section 2(2) was amended by section 27(1)(a) of the Legislative and Regulatory Reform Act 2006 (c. 51) and Part 1 of the Schedule to the European Union (Amendment) Act 2008 (c. 7). It is prospectively repealed by section 1 of

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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26th September 2019

*Rebecca Pow*  
Parliamentary Under Secretary of State  
Department for Environment, Food and Rural  
Affairs  
*Lesley Griffiths*  
Minister for Environment, Energy and Rural  
Affairs,  
one of the Welsh Ministers

24th September 2019

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## EXPLANATORY NOTE

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

These Regulations amend the Wildlife and Countryside Act 1981 (c. 69) (“the Act”) in order further to implement in England and Wales requirements contained in the Agreement on international humane trapping standards between the European Community, Canada and the Russian Federation, which was approved by the European Community in Council Decision 98/142/EC (OJ No. L 42, 14.2.98, p.40).

The Regulations introduce provision to provide that the licensing ground under section 16(3)(c) (relating to the conservation of wild animals) is to be read, insofar as it relates to section 11(2) in its application to stoat, as including the conservation of wild birds. This means that the trapping of stoat will be licensable for the purpose of conserving wild birds when the inclusion of stoat in Schedule 6ZA to the Act comes into force on 1st April 2020 by virtue of the Humane Trapping Standards Regulations 2019 (S.I. 2019/22).

An impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sector is foreseen.