



Department
for Environment
Food & Rural Affairs

Consultation on the Implementation of the Agreement on International Humane Trapping Standards.

Proposals for implementation, and impact assessment

19 March 2018



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1. Introduction

1. The UK has a long standing commitment to the welfare of animals. This government is committed to maintaining and enhancing animal welfare standards as we leave the European Union. Historically, the UK has been ahead of international trends on trap humaneness, outlawing leg-hold traps and establishing an approval system for spring traps in 1954.
2. In 1997, the European Union (EU) concluded two international agreements for the purpose of establishing humane trapping standards and facilitating trade in fur and fur products. EU Member States are obliged under European law¹ to ensure the implementation of the [Agreement on International Humane Trapping Standards](#) (AIHTS).
3. We propose to implement the AIHTS, the aim of which is to ensure a sufficient level of welfare for trapped animals by requiring Parties to prohibit traps which do not meet prescribed humaneness standards and ensure that trappers are trained in the humane, safe and effective use of trapping methods. It covers trapping of animals for a variety of different reasons and applies to 19 species commonly trapped for their fur, most of which are not currently present in the UK. All traps, including cage traps, are covered by the AIHTS.
4. On 23 June 2016, the EU referendum took place and the people of the United Kingdom voted to leave the European Union. Until exit negotiations are concluded, the UK remains a full member of the European Union and all the rights and obligations of EU membership remain in force. During this period the government will continue to negotiate, implement and apply EU legislation. The outcome of the negotiations will determine what arrangements apply in relation to EU legislation once the UK has left the EU.

2. Purpose of this consultation

5. The purpose of this consultation is to seek views on proposals for the implementation of the AIHTS in the UK in order to improve the welfare of certain trapped animals, and to gather information on the supply, use and marking of traps to better inform our impact assessment.

¹ See Art 216(2) of the Treaty on the Functioning of the EU, which states that ‘*Agreements concluded by the Union are binding upon the institutions of the Union and on its Member States*’.

6. Our proposals for implementation aim to minimise impacts on those trappers and manufacturers who will need to respond to the requirements of the AIHTS. We are seeking views on our proposals and feedback on possible impacts.
7. In the impact assessment, we make some key assumptions which need to be tested during consultation.

3. Relevant documents

8. This consultation consists of:
 - a. this consultation document; and
 - b. an impact assessment.
9. Before responding to the questions set out in this consultation document, we recommend that you read each of these documents.
10. You can access these documents at: <https://consult.defra.gov.uk/wildlife-management/implementing-aihts-humane-trapping/>

4. Background

11. In 1997, the European Union (EU) concluded two international agreements² for the purpose of establishing humane trapping standards and facilitating trade in fur and fur products. By establishing international standards, these agreements allow Canada, the Russian Federation and the USA to import pelts and manufactured goods of certain wild animal species into the EU.
12. The two agreements are substantially similar. For ease, this consultation will only refer to implementation of the AIHTS, although, in doing so, we will also be meeting our requirements under the separate agreement between the EU and the USA.
13. The EU ratified the AIHTS in 1998, followed by Canada in 1999 and the Russian Federation in 2008, which allowed the AIHTS to enter into force in July 2008 and the timetable for the implementation of its provisions to start from that date. Between June 1999 and July 2008, the EU and Canada agreed to apply the AIHTS on a provisional basis pending formal ratification by the Russian Federation.

² The first agreement, the Agreement on International Humane Trapping Standards (AIHTS), between the EU, Canada and the Russian Federation, was approved by Council Decision 98/142/EC. The second (approved by Council Decision 98/487/EC) is a similar agreement in the form of an agreed minute between the United States of America and the EU.

14. The AIHTS covers trapping of animals for a variety of different reasons and applies to 19 species in total, most of which are not native to the UK. All traps, including cage traps, are covered by the AIHTS.
15. Of the 19 AIHTS species, only five occur in the wild in the UK:
- European Badger, *Meles meles*
 - European Beaver, *Castor fiber*
 - European Otter, *Lutra lutra*
 - Pine Marten, *Martes martes*
 - Stoat, *Mustela ermine*
16. Of these, only the stoat is regularly and widely trapped in the UK and it is the only species for which kill (lethal) traps are commonly used. The other four species are less frequently trapped for conservation, disease control or damage prevention purposes, using live-capture (non-lethal) traps.
17. The AIHTS requires the UK to establish appropriate processes for testing and certifying traps in accordance with the humaneness standards (“the Standards”) which are set out in the Agreement.
18. We must prohibit the use of traps that are not certified as meeting the Standards. The Agreement, however, does not prevent individuals from constructing and using their own traps and snares, provided that such traps comply with designs approved by the relevant competent authority. These traps constructed by individuals are meant to be simple home-made traps for the constructor’s personal use.
19. The AIHTS also requires manufacturers to ‘identify’ certified traps and provide instructions for their appropriate setting, safe operation and maintenance. It also requires that trappers are trained in the humane, safe and effective use of trapping methods, including new methods as these are developed.
20. At the point of importation, Parties may request a certificate of origin which certifies that pelts and certain other products derived from AIHTS species are sourced from the territory of another Party to the AIHTS.

4.1. Our obligations

21. EU Member States are obliged to implement the requirements of the AIHTS, and the deadline for implementation was 22 July 2016. On 23 June 2016, the EU referendum took place and the people of the United Kingdom voted to leave the European Union. Until exit negotiations are concluded, the UK remains a full member of the European Union and all the rights and obligations of EU membership remain in force.
22. During this period the government will continue to negotiate, implement and apply EU legislation. The outcome of these negotiations will determine what

arrangements apply in relation to EU legislation in future once the UK has left the EU.

23. After the EU exit vote, Defra Ministers reaffirmed the government's commitment to implement the AIHTS and be committed to AIHTS once we've exited the EU.

4.2. Implementation across the UK

24. This is a UK-wide consultation. Regulations made in relation to England, Scotland and Wales will implement the AIHTS by amending the Wildlife and Countryside Act 1981. Northern Ireland will implement by amending their own legislation. It is anticipated that the implementing legislation will come into force on 1 January 2019.

5. Proposal for Implementation

5.1. Legislative mechanism

25. We propose to implement the AIHTS as soon as practically possible using existing legislative frameworks. Whilst it would be possible to create a new legislative regime for implementing the AIHTS, we feel that this would add unnecessary complexity and add to the already significant volume of wildlife legislation.
26. Section 11 of the Wildlife and Countryside Act 1981 protects all animals from certain methods of killing and taking. The section provides increased protection for certain species listed in Schedule 6 to the Act. Section 16 of the 1981 Act allows derogation from those prohibitions, by means of licences. All the UK species to which the AIHTS applies, except the stoat and European beaver, are already listed in Schedule 6 and are therefore protected against the use of traps and snares.
27. In England and Wales, we propose to deliver the commitments of the AIHTS by amending sections 11 (prohibition of certain methods of killing or taking wild animals) and 16 (power to grant licences) of the Wildlife and Countryside Act 1981 ("WCA").
28. It is proposed that similar amendments will be made to the WCA as it applies to Scotland and Northern Ireland will make similar amendments to corresponding provisions in the Wildlife (Northern Ireland) Order 1985, although beavers have never been historically present in Ireland, and Northern Ireland will therefore not be implementing the AIHTS for beaver.
29. For stoats and European beaver, we propose only to apply those prohibitions in section 11(2) of the WCA that are required by the AIHTS. In relation to stoat and

European beaver, only the use of traps and snares for killing or taking will be regulated, not other methods of control currently covered by section 11(2)³. We therefore propose to add the European beaver and the stoat to a new Schedule to that Act (animals which may not be killed or taken by traps and snares).

30. The effect of our proposed approach will be the prohibition of the use of all traps for AIHTS species, with the result that trapping may only occur under licence using AIHTS-compliant traps.
31. We will authorise the use of traps certified by other Parties, including other Member States, as compliant with the Standards or else provide justification in writing to the Agreement's Joint Management Committee for not doing so.
32. Defra will make the list of traps which have been certified as meeting the Standards publicly available on gov.uk. In certifying traps we propose to identify the trap by make, model and manufacturer. If the manufacturer of a certified trap were to change we would need to certify the 'new' trap. Provided they are built using the same design and to the same standards, the certification process will be simple and straightforward (i.e. the submission of a trap to confirm it is to the same design and quality, then adding to certified list).
33. We propose that the trapping of stoats using AIHTS-compliant traps should be permitted under a general licence (see www.gov.uk/guidance/wildlife-licences#types-of-licence) to minimise the licensing impact on both trappers and licensing authorities.
34. For other AIHTS species, licences would continue to be granted on a case-by-case basis, or, in certain circumstances, under class licences, even if a certified trap is to be used.
35. In exceptional circumstances, the use of non-AIHTS compliant traps would be possible under licence on a case by case basis in accordance with Article 10 of the Agreement.

³ As well as traps and snares, section 11(2) regulates the use of any net, electrical device for killing or stunning, poisonous, poisoned or stupefying substance, automatic or semi-automatic weapon, device for illuminating a target or sighting device for night shooting, form of artificial light or any mirror or other dazzling device; decoy or mechanically propelled vehicle in immediate pursuit of any such wild animal for the purpose of driving, killing or taking that animal.

Question 1: Do you agree or disagree with our proposed approach for implementing the licensing/prohibition requirements of AIHTS?

If you disagree, please give your reason, setting out any alternative approach you prefer.

5.2. Live capture traps

36. In evaluating whether a live capture trap meets the Standards, the humaneness assessment considers whether certain behavioural and injury indicators are shown by the trapped animal.
37. We have adequate data on the cage traps most commonly used in the UK for the live capture of the European badger to certify their use under the AIHTS. We also have sufficient data to certify a cage trap model for stoat, pine marten and beaver. We are currently looking to acquire sufficient data to certify a cage trap model for otter.
38. Initially, our approach will be to rely on the above models and certifications by other AIHTS Parties (including EU Member States) who more commonly trap these species. It is likely that other traps used by UK trappers will be certified under the AIHTS elsewhere. This would mean we can approve the same traps in the UK without cost to government, manufacturers or end users.
39. If users have to replace non-compliant live capture traps that they currently use for these species, there may be an additional cost. However, this is unlikely to be significant for the following reasons:
- a. Otters, beavers, stoats and pine marten are rarely caught by live capture traps, so UK trappers will not have a significant stock of traps that need replacing.
 - b. There are several live capture traps certified by the Fur Institute of Canada for beaver. Whilst these are likely to be certified for use for the Canadian beaver (*Castor canadensis*) rather than the European beaver (*Castor fiber*), there are no significant differences between the two species. Agreement for simultaneous certification for both species would have to be sought from the Agreement's Joint Management Committee⁴ for the AIHTS, but if this is secured, these beaver traps will be available for use by UK trappers.
 - c. Animals caught by live capture are often released after capture, which means suitable medical assessments (to ensure they are fit for release) may already

⁴ Established under the terms of the AIHTS to administer the Agreement.

have been recorded, and certification of some UK trap models will be possible without a need for further humaneness assessment. We have already used such data to determine compliance of several cage traps as mentioned in paragraph 3 above.

- d. Cage trap models are generally similar to each other, which means that small differences may not have an impact on the humaneness of the trap. Therefore the certification of one trap model may mean a similar design can be certified without the need for a separate humaneness assessment.

40. If there is insufficient welfare data available to consider certification of a trap design, we would propose to grant individual licences using the derogation purposes available under Article 10 AIHTS to permit the use of unapproved live capture traps (e.g. cage traps) to trap the species concerned, until we have gathered enough welfare data on the trapped animal to be able to determine whether the trap can be certified as AIHTS-compliant.

41. A condition of such a licence will be that a suitable humaneness assessment should be carried out on any animals trapped under the licence and the suitability of the person undertaking the assessment would be included in the assessment form.

42. The expectation would be that the licence applicant would be liable to any cost incurred in providing the data. However, part or even most of the humaneness assessment cost will already be incurred as part of current live capture trap user practice.

Question 2: Do you agree or disagree with our proposed approach for live capture traps?

If you disagree, please give your reason, setting out any alternative approach you prefer.

5.3. Lethal traps

43. For kill traps, the Standards are met if the time to irrecoverable unconsciousness⁵ does not exceed prescribed time limits.

44. The only AIHTS species intentionally caught in kill traps in the UK is the stoat. The most widely used stoat trap (*Fenn*-type⁶) does not meet the Standards and, therefore, once we implement the AIHTS, can no longer be approved for use

⁵ Pain is not felt when unconscious.

⁶ Three manufacturers make essentially the same trap design, Fenn, Solway and Springer.

against them. The *Fenn*-type trap is a general purpose run-through spring trap designed to catch animals as they travel along their usual pathways across the landscape.

Availability of stoat kill traps in the UK

45. The only country covered by the AIHTS other than the UK that has, to our knowledge, tested kill traps for stoats is Canada. The Fur Institute of Canada has certified over 20 traps as compliant with the AIHTS for stoats. However the stoat is much smaller in Canada than in the UK (approximately the size of our weasel). Scientific evidence from New Zealand⁷ and subsequent trap testing in the UK demonstrate that the difference in the size of the two sub-species requires different trapping standards to ensure a humane kill.
46. Currently, Spring Trap Approval Orders made in England and Wales under the Pests Act 1954, in Scotland under the Agriculture (Scotland) Act 1948 and in Northern Ireland under the Wildlife (Northern Ireland) Order 1985 permit the use of a number of traps for killing stoats in the UK (see Table 1).
47. While there are limited data on trap use in the UK, we know that the majority of these approved traps are either no longer manufactured or in use, or have already been assessed against AIHTS criteria. Evidence from these assessments has shown that there are currently no trap models available in the UK that have been shown to be compliant with the Standards for European stoats using a run-through configuration.
48. A technical working group was established by Defra to identify AIHTS-compliant traps that are suitable for stoat trapping in the UK. The working group includes user representatives from BASC, Countryside Alliance, GWCT, the Moorland Association, the National Gamekeepers Organisation and Scottish Land and Estates, as well as government organisations (Animal and Plant Health Agency, and Science and Advice for Scottish Agriculture).
49. Besides traps already approved for stoat under the Spring Trap Approval Orders, we have also considered and tested several new potentially suitable trap designs. At least three AIHTS-compliant trap models are likely to be approved for use as run-through traps to trap stoat by the time implementation starts. Other new potentially suitable traps are currently undergoing development and, if successful, will be approved in due course.
50. We understand from our informal consultations with stakeholders that it will be a challenge to produce sufficient AIHTS-certified replacement traps for targeting stoat

⁷ www.envirolink.govt.nz/PageFiles/194/140-NIrc15-SnapbackNorthlandFinal.pdf

by the implementation date proposed in this consultation. There is a balance to be made between the need to implement our legal obligations as swiftly as possible and the need to have sufficient numbers of certified replacement stoat traps available for use. We would particularly welcome comments on this issue and evidence as to the expected time it will take to manufacture AIHTS-certified replacement traps for targeting stoat.

Currently approved spring traps which are compliant

51. Some of the traps already approved for stoat under the Spring Trap Approval Orders have been shown to be compliant with the Standards for European stoat and use of these will continue to be permitted from 1 January 2019 (see Part 1 of Table 1 below).
52. *DOC* and *Goodnature* traps, in their current approved configuration as baited traps, are not effective against stoat in the UK because stoats will avoid entering baited traps when there is an abundance of preferred food available. These conditions coincide with peak trapping effort in order to protect game birds and other ground nesting species. Unlike the *GoodNature* trap, the *DOC* traps are capable of being used in a run-through configuration and we have successfully determined that they can be a compliant trap in this configuration.

Currently approved spring traps which are commonly used but are not compliant

53. We have tested the *BMI Magnum 55, 110 and 116* and also the *Koro* rodent snap trap and found that these do not meet the Standards for stoats.
54. Published trap testing data from New Zealand indicates that *Fenn IV* and *VI* traps (the most commonly used type of stoat trap) fail to meet the required standards for stoats⁸. In the light of this evidence, we will not test these or other *Fenn*-type traps (e.g. *Springer's* and *Solway's*) against the Standards in the UK.
55. These commonly available, but non-compliant traps (listed in Part 2 of Table 1 below), will no longer be approved for use in targeting stoats after December 2018.

⁸ AIHTS standards are met if the time to irrecoverable unconsciousness does not exceed 300 seconds for most AIHTS species, 120 seconds for most marten species and 45 seconds for stoats. The particularly short time which has been agreed for stoats is because Canada has confirmed it has a stoat trap which meets this standard. However for reasons already given, we are not prepared to accept the Canadian data for European stoats.

Currently approved spring traps which are rarely used and are not compliant

56. We should be restricting the continued use of non-compliant traps to the minimum necessary to maintain stoat trapping effort prior to implementation of the AIHTS. The remaining traps approved for stoat have been out of production for some time and are seldom used to trap any permitted target species. These traps are identified in Part 3 of Table 1.

57. Even if a sufficient number of these traps were available for humaneness assessment (a minimum of 10 is required), we do not propose to test them against the Standards. Doing so would pose serious welfare issues and would be contrary to our approach to trap testing. Moreover, it would not be a responsible use of public money to test traps that we reasonably expect to fail.

58. Whilst it would be possible to continue the approval of these traps until we implement AIHTS (which, as mentioned above, we anticipate being January 2019), we do not think this is justified given that these traps have been out of production for some time and are seldom used, if at all. Consequently, we propose to withdraw their approval for all target species as soon as possible.

Table 1: Traps approved for stoat on one or more⁹ of the UK Spring Traps Approval Orders showing status in relation to the Standards.

Part 1: Approved spring traps which are compliant with AIHTS	
Trap	AIHTS Status
DOC 150	AIHTS compliant. Already approved for use for stoats. Will be approved for run-through as well as baited set up
DOC 200	AIHTS compliant. Already approved for use for stoats. Will be approved for run-through as well as baited set up
DOC 250	AIHTS compliant. Already approved for use for stoats. Will be approved for run-through as well as baited set up
Goodnature A24 rat and stoat trap	AIHTS compliant. Already approved for use for stoats.

⁹ Each Devolved Administration makes their own Spring Trap Approval Orders and the traps approved under them can vary between them at any given time.

Part 2: Spring Traps which will not be approved for stoats following implementation
(anticipated 1st January 2019)

Trap	AIHTS Status
BMI Magnum 110	Not compliant with AIHTS.
BMI Magnum 116	Not compliant with AIHTS.
Kania Trap 2000	Compliance with AIHTS unknown. It has been agreed with the manufacturer that this will not be tested as it is rarely if ever used for stoats. Will not be approved for stoats unless industry funds testing and they are demonstrated to be compliant.
Kania Trap 2500	Compliance with AIHTS unknown. It has been agreed with the manufacturer that this will not be tested as it is rarely if ever used for stoats. Will not be approved for stoats unless industry funds testing and they are demonstrated to be compliant.
Fenn Mark IV	Not compliant with AIHTS.
Fenn Mark VI	Not compliant with AIHTS.
Solway Mark 4	Compliance with AIHTS unknown. Similar design to Fenn traps.
Solway Mark 6	Compliance with AIHTS unknown. Similar design to Fenn traps.
Springer No. 4	Replica of the Fenn Mark IV therefore not compliant with AIHTS.
Springer No. 6	Replica of the Fenn Mark VI therefore not compliant with AIHTS.
WCS tube trap	Compliance with AIHTS unknown. Rarely if ever used for stoats. Has been certified in Canada but it needs to be tested using European stoats. Will not be approved for stoats unless industry funds testing.

Part 3: Spring Traps which will have their approval withdrawn as soon as possible

Trap	AIHTS Status
Fenn Mark I	Not commonly used and almost certainly not compliant with AIHTS.
Fenn Mark II	Not commonly used and almost certainly not compliant with AIHTS.
Fenn Mark III	Not commonly used and almost certainly not compliant with AIHTS.
Imbra Mark I	Not commonly used.
Imbra Mark II	Not commonly used.

Juby Trap	Not commonly used.
Lloyd Trap	Not commonly used.
Sawyer Trap	Not commonly used.

5.4. Multi-species lethal traps

59. Lethal traps set for stoats are primarily run-through spring-traps designed to catch animals as they travel through their usual pathways across the landscape. The aim of the trapper may not be to catch one particular species when setting the trap, but to catch a number of pest species for which the trap is approved.
60. Those commonly used traps, including *Fenn*-type traps, currently permitted for the purpose of trapping stoats in the UK, will continue to be available for that purpose until the AIHTS is implemented in January 2019.
61. When the AIHTS is implemented in 2019, stoats will no longer be a permitted target species for those traps listed in Part 2 of Table 1. However this will not prevent the use of those traps against the other species for which they are approved (e.g. weasels, rats, rabbits, squirrels etc.).
62. However, trap users who set traps for those species in locations where a stoat may also be caught may, depending on the risk of catching a stoat, have to use AIHTS-compliant traps. This consideration will be part of the risk assessment that trap users already take when assessing the risk of capturing non-target species, and enforcement of trapping offences will remain the same.
63. This means that by improving the humaneness standards of stoat trapping under AIHTS, there are potential implications for the trapping of other species where multi-species traps are used. If a non-AIHTS compliant, multi-species trap is set to catch a species other than stoat, but a stoat is caught, an offence may be committed. This would depend on the circumstances, including the steps taken to exclude stoats.

Question 3: Do you agree or disagree with our proposed approach for lethal traps?

If you disagree, please give your reason, setting out any alternative approach you prefer.

5.5. Training requirements

64. The AIHTS requires that trappers are trained in the humane, safe and effective use of trapping methods, including new methods as these are developed. The European Commission has indicated that it is satisfied that instructions and

guidance provided with traps when they are sold would meet this requirement. We are satisfied, therefore, that licence conditions of use which require a trapper to follow the manufacturer's instructions, such other instructions prescribed in the licence and (if an approved spring trap) the Spring Trap Approval Order, would be sufficient to meet this AIHTS requirement.

65. For home-made traps and snares, we propose that users should be required to follow the manufacturer's instructions for the certified design, or if there are no such instructions, in accordance with conditions of use set out in the licence under which the trapping is being permitted.

Question 4: Do you agree or disagree with our proposed approach with respect to the training requirements?

If you disagree, please give your reason, setting out any alternative approach you prefer.

5.6. Requirements for manufacturers

66. To be compliant with the AIHTS, manufacturers will need to ensure their traps are suitably identified as being of a certified make and model and provide instructions for their appropriate setting, safe operation and maintenance, if they wish them to be certified for potential use under licence. Licences and (if an approved spring trap) Spring Trap Approval Orders, will contain conditions which will oblige trappers to use traps in accordance with the manufacturer's instructions, with any exceptions specifically provided for.
67. How certified traps are to be identified and marked is not prescribed in the AIHTS. However if the marking is to assist the trapper in the field (when considering which trap to use) we consider that it needs to be permanent and legible after years of trap service. Ideally, the marking should be stamped or embossed onto an ID plate permanently attached (e.g. riveted) to the trap itself. Many manufacturers already mark their traps permanently with data such as their name. We therefore propose that manufacturers should be required to identify certified traps using a permanent marking. However, how this is achieved (i.e. embossed onto the trap itself or using an attached ID plate) would be left to the discretion of the manufacturer.
68. This requirement is placed on manufacturers and should, we propose, therefore only apply to traps that are manufactured after the AIHTS is implemented in the UK. Traps which are already with distributors or trappers and compliant with the AIHTS, will not need to be marked (although trappers may choose to identify the trap when tagging their traps). It is proposed that a condition of certification will be that the trap must be suitably identified as meeting the Standards if manufactured after the implementation date.

69. There is flexibility as to how manufacturers provide instructions. For example, the instructions could be provided with the trap when purchased or available online, but we consider that they should continue to be obtainable via the manufacturer for the life of the trap, since traps may be in service for several years and instructions can be damaged or lost over time. All manufacturers/retailers we spoke to already provide this information, so we would anticipate no additional costs as a result of this requirement.

Question 5: Do you agree or disagree with our proposed approach with respect to the trap marking requirements?

If you disagree, please give your reason, setting out any alternative approach you prefer.

Question 6: Do you agree or disagree with our proposed approach with respect to the provision of trap instructions requirements?

If you disagree, please give your reason, setting out any alternative approach you prefer.

6. Impacts

70. The AIHTS will result in improvements in the welfare of some animals which are routinely caught for the purposes of pest control and protection of wildlife. The UK has an established approval system for spring traps; in England and Wales under the Pests Act 1954, in Scotland under the Agriculture (Scotland) Act 1948 and in Northern Ireland under the Wildlife (Northern Ireland) Order 1985. Since 2011 the UK has applied the AIHTS humaneness standard for all new spring trap approvals under the Pests Act regime, and for all target species.

71. The criteria which spring traps need to meet in order to be approved under the Pests Act regime have developed over the 63 years since the Pests Act was introduced. Until they were recently re-tested, spring traps which were approved for stoat in the 1950s to 1970s had never been assessed to the AIHTS humaneness standard. The implementation of the AIHTS has provided the opportunity to review these traps and ensure consistent welfare standards for approved traps.

72. In the UK the primary positive impact will be for the stoat, but because game managers and others will often use the same traps to target a number of small predator species for the protection of game and other ground-nesting bird species, there will be consequential positive impacts for other species, including weasels, squirrels and rats.

73. Trap users will have to ensure they know how to use the traps and trapping methods humanely, safely and effectively. Manufacturers will have to ensure traps are appropriately identified and are supplied with instructions for appropriate setting, safe operation and maintenance.
74. Importers and exporters will have to ensure pelts, and certain other products derived from trapped AIHTS species, are accompanied by a certificate of origin, showing they were sourced from the territory of another AIHTS party. However, this requirement already exists under EU law ([Council Regulation \(EEC\) No 3254/91](#)) and will therefore not result in any new impacts.
75. A range of other groups may be impacted by the AIHTS, including businesses such as trap retailers, manufacturers and importers, pest control companies, country estates/farms, and importers of products derived from trapped animals. Private individuals (e.g. keepers of small flocks of poultry) who wish to trap the species covered by the AIHTS may also be affected to a lesser degree. However, as the primary impact will be the loss of nearly all stoat traps, the most affected will be the gamekeeping sector, who regularly and widely catch stoats to protect game birds. Following implementation of the AIHTS, they will be restricted to compliant traps or, in exceptional circumstances, case by case derogation for non-compliant ones.
76. The estimated economic impacts of implementing the AIHTS in the UK are set out in the impact assessment (see section 6.1.). The total initial costs are calculated to be around £1.1million. This is a one-off transition cost for game keepers to replace non-compliant traps with those that meet the Standards set out in the AIHTS. On-going costs are likely to be minimal; once a trap is bought, it will last many years and traps which comply with the Standards will not need to be replaced more frequently.

6.1. The impact assessment

77. The Impact Assessment (IA) considers the costs and benefits of implementing the AIHTS.
78. The IA considers three options:
- Option 0: Baseline scenario – do nothing.
 - Option 1: Preferred – regulatory measures.
 - Option 2: Alternatives to regulation.
79. The IA concludes that the total cost to the game keeping industry to transition to compliance with the AIHTS including the cost of replacing non-compliant traps, familiarisation costs and deployment costs is around £1.1 million.
80. Key assumptions made are:

- a) Some traps will be approved for use by other countries covered by the AIHTS which can be adopted without cost in the UK.
- b) Only 20% of trade in kill traps (and therefore reported annual sales figures) concerns the game keeping sector.
- c) An average lifespan for a trap is 10 years.
- d) Normally there is 10% per year replacement rate of trap stock but, for the purposes of implementation, the entire stock of existing non-compliant traps will be replaced immediately.
- e) Compliant traps can replace non-compliant traps like-for-like.
- f) The same number of new traps will be required to achieve the same number of captures.
- g) A suitable replacement trap will cost approximately £17.00 per unit or about double the price of the average cost of existing, non-compliant, traps.
- h) 2/3rds of trapping effort by gamekeepers is targeted directly at stoats.

Question 7: Do you agree or disagree with the approach undertaken in the impact assessment?

If you disagree, please give your reason, setting out any alternative approach you prefer.

Question 8: Do you agree or disagree with the conclusions of the impact assessment?

If you disagree, please give your reason, setting out any supporting evidence.

7. Evidence gathering

81. In the impact assessment, we make key assumptions which need to be tested during consultation.

82. If you are aware of any additional data that could inform the impact assessment, we would be grateful for that information. We would also be particularly interested in answers to the following questions:

Question 9: What additional training costs may be incurred by you or those you represent as a result of implementing the AIHTS?

Please quantify this additional cost in £

Question 10: What additional costs may be incurred by you or those you represent as a result of implementing the AIHTS requirements for manufacturers, including costs incurred in relation to the alteration of designs and instructions and provision of suitable identification?

Please quantify this additional cost in £

Question 11: Which make and models of trap do you or those you represent use to trap stoat and how many do you or those you represent use?

Question 12: Roughly how many of each permitted target species do you or those you represent catch using these traps in an average year?

Please give the total number of permitted target species caught per make and model (not the number caught per individual trap).

Question 13: How often in years do you or those you represent replace a particular make and model of trap (how long is its working life)?

Please do not include traps that you or those you represent have but no longer use.

Question 14: Roughly how many of each AIHTS species other than stoat have you or those you represent caught in the last year?

Question 15: What trap make and models did you use?

Question 16: What trap/tunnel set up is most important for you when trapping stoats?

Question 17: Do you place bait or lures in the tunnel?

Question 18: Do you use baffles/restrictors to prevent non-target species entering the tunnel (outer) or to guide target species through the trap (inner)?

Question 19: How do you buy your traps (internet market place, UK retailer, overseas retailer etc.) ?

Question 20: How much do you estimate you have spent in £ on traps in the last year?

Please specify in £

Question 21: Any other comments you wish to make, relevant to your use of traps against the species concerned.

8. Responding

8.1. Who will be interested in responding?

83. This is a public consultation and it is open to anyone with an interest in providing comments. It should be of particular interest to those who have cause to trap stoats, including gamekeepers, farmers, pest controllers and conservation agencies, as well as businesses such as trap retailers, manufacturers and importers, pest control companies, country estates/farms, and importers of pelts and products derived from AIHTS species, as well as animal welfare organisations.

8.2. How to respond to this consultation

84. The consultation will run for 6 weeks from 19 March 2018 to 12.00 midnight on 30 April.

85. Please respond to this consultation on line using the Citizen Space consultation system: <https://consult.defra.gov.uk/wildlife-management/implementing-aihts-humane-trapping/>

86. If you cannot access the Citizen Space consultation system, please respond using the print off version which accompanies this document and send to

AIHTS Consultation
Wildlife Management and Crime Team
Department for Environment, Food and Rural Affairs
Horizon House,
Floor 2,
Deanery Road,
Bristol,
BS1 5AH

Or email to; AIHTSConsultation@defra.gsi.gov.uk

8.3. Confidentiality and data protection

87. A summary of responses to this consultation will be published and placed on the government website at: www.gov.uk/defra. The summary will include a list of names and organisations that responded but not personal names, addresses or other contact details.
88. Information provided in response to this consultation, including personal information, may be made available to the public on request, in accordance with the requirements of the Freedom of Information Act 2000 (FOIA) and the Environmental Information Regulations 2004 (EIRs). Defra may also publish the responses to the FOIA/EIR requests on www.gov.uk/defra.
89. If you want your response, including personal information such as your name, that you provide to be treated as confidential, please explain clearly in writing when you provide your response to the consultation why you need to keep these details confidential. If we receive a request for the information under the FOIA or the EIRs we will take full account of your explanation, but we cannot guarantee that confidentiality can be maintained in all circumstances. However, Defra will not permit any unwarranted breach of confidentiality nor will we act in contravention of our obligations under the Data Protection Act 1998 (DPA). An automatic confidentiality disclaimer generated by your IT system will not, of itself, be regarded as a confidentiality request.
90. Defra will share the information you provide in response to the consultation, including any personal data, with a third party of contracted external analysts for the purposes of response analysis and provision of a report.
91. Defra is the data controller in respect of any personal data that you provide, and Defra's Personal Information Charter, which gives details of your rights in respect of the handling of your personal data, can be found at:
[//www.gov.uk/government/organisations/department-for-environment-food-rural-affairs/about/personal-information-charter](http://www.gov.uk/government/organisations/department-for-environment-food-rural-affairs/about/personal-information-charter).
92. This consultation is being conducted in line with the "Consultation Principles" as set out in the Better Regulation Executive guidance which can be found at:
<https://www.gov.uk/government/publications/consultation-principles-guidance>.
93. If you have any comments or complaints about the consultation process, please address them to:
- Consultation Co-ordinator
Area 8A, 8th Floor,
Nobel House,
17 Smith Square,
London,
SW1P 3JR.

Or email: consultation.coordinator@defra.gsi.gov.uk.

8.4. Next steps

94. This consultation will run for 6 weeks. We will publish the summary of consultation responses within 12 weeks of the consultation closing.