



# Proposal to regulate the sale and use of specified leg hold traps

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The proposals in this paper are for consultation purposes and do not necessarily represent agreed Government policy.

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## Executive Summary

In 2002 the National Animal Welfare Advisory Committee (NAWAC) recommended to the Minister of Agriculture that the importation, sale, and use of specified leg hold traps be prohibited in New Zealand. In December 2002, the Ministry of Agriculture and Forestry (MAF) released a public discussion document which analysed NAWAC's recommendations against criteria in the Animal Welfare Act that the Minister needs to take into account before deciding whether to prohibit or restrict a trap.

This paper outlines MAF's proposed policy changes for the use and sale of leg hold traps. Specified leg hold traps will be prohibited throughout New Zealand by 1 January 2011. Other leg hold traps, such as those of size 1 and 1.5 (padded) are not affected and could still be used. All leg hold traps will be prohibited within 300 metres from a dwelling, or in any area where it is likely to trap a companion animal, from 1 January 2008. The prohibition includes any situation in which a leg hold trap is used as a trap (i.e. as a restraint trap or a kill trap).

A person will only be allowed to use or buy a prohibited trap with the Minister's approval. The Minister may approve a person to use the trap in a specified situation or for a specified purpose, and set conditions on that use, if the Minister considers that the matter is in the public interest and alternative methods are either not available or not feasible.

The recommendations in this paper describe the intent of the policy and the exact wording may not necessarily be that used in any new regulation.

MAF invites submissions on the proposals presented in this paper. The closing date for submissions is **Friday 8 June 2007**. Depending on the outcome of this consultation, a regulation would need to be in place by the end of 2007 as existing local bylaws for leg hold traps expire on 31 December 2007.

### Definitions

- i) A **leg hold trap** means a trap with metal jaws designed with the primary purpose of catching and holding an animal by a limb, including the foot.
- ii) A **trap of size 1.5** means a leg hold trap that measures 10.5cm across its closed jaws.
- iii) A **padded trap** means a commercially manufactured leg hold trap that has non-abrasive and durable cushioning material firmly fixed to the contact surfaces of its metal jaws.

### Recommendation 1: Use of certain leg hold traps prohibited

Except as provided for in recommendation 4:

- 1a) All **long-spring** leg hold traps **of size 1.5 or larger** are prohibited. They may not be used in any area from 1 January 2009.
- 1b) All **double-coil spring** leg hold traps **larger than size 1.5** are prohibited. They may not be used in any area from 1 January 2009.
- 1c) All **double-coil spring** leg hold traps **of size 1.5** (other than a padded trap of size 1.5) are prohibited. They may not be used in any area from 1 January 2011.

## **Recommendation 2: Sale of certain leg hold traps is prohibited**

The traps prohibited from use in recommendations 1a, 1b and 1c may not be sold from 1 January 2008 other than to a person with approval under recommendation 4.

## **Recommendation 3: No leg hold trap may be used in certain areas**

From 1 January 2008, no leg hold trap may be used:

- i) 300 metres from any dwelling; and
- ii) in any area where it is likely to trap a companion animal;

other than by a person with approval under recommendation 4.

## **Recommendation 4: The Minister may approve a person to use or sell an otherwise prohibited trap**

- 4a The Minister may approve a person to use (or sell) a leg hold trap:
  - i) that would otherwise be prohibited under recommendation 1a, 1b or 1c; or
  - ii) within 300 metres of a dwelling or in any area where it is likely to trap a companion animal.
  
- 4b The Minister may approve the person referred to in recommendation 4a to use or sell the trap in a specified situation or for a specified purpose and may set conditions on that use, if the Minister considers that:
  - i) the matter is in the public interest (includes for biosecurity, conservation, human health and animal health purposes); and
  - ii) no viable alternative is available given the circumstances.

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# 1 Introduction

This document outlines policy recommendations for the regulation of leg hold traps. It proposes that a regulation is made under section 32(1) of the Animal Welfare Act 1999 (the Act) to prohibit the sale and use of specified leg hold traps throughout New Zealand by 1 January 2011, and all leg hold traps in urban areas from 1 January 2008. In this proposal a leg hold trap means a trap with metal jaws designed with the primary purpose of catching and holding an animal by a limb, including the foot. The prohibition includes any situation in which a leg hold trap is used as a trap (i.e. as a restraint trap or a kill trap).

## 1.1 NAWAC'S RECOMMENDATIONS

In 2002 the National Animal Welfare Advisory Committee (NAWAC)<sup>1</sup> recommended to the Minister of Agriculture that the importation, sale and use of specified leg hold traps be prohibited in New Zealand. NAWAC proposed that the following types of traps be prohibited (see Appendix 2 for a description of these traps):

- Lanes-Ace (gin) and all similar 1.5 long spring traps.
- Victor 1.5 hard jaw and all similar double-coil spring traps.
- Victor 3 and all similar double-coil spring traps.

Other types of leg hold traps (such as the Victor 1 and the Victor 1.5 padded jaw trap) would not be affected and could still be used. NAWAC's recommendations were based on several studies (see MAF, 2002<sup>2</sup> and section 2.7 below) on the humaneness of various traps and from assessments of four types of traps against its own guidelines on the humane use of traps. There have since been further assessments of traps against these guidelines that confirm earlier findings (see section 2.7 below).

## 1.2 CONSULTATION UNDERTAKEN

In 2002 MAF released a discussion document on NAWAC's recommendations seeking comment from interested parties. The document analysed NAWAC's recommendations against the criteria in section 33 of the Act that the Minister needs to take into account before deciding whether or not to prohibit or restrict any trap or device. Eighty submissions were received. The main issues raised during this consultation appear in Appendix 3.

In October 2005 MAF wrote to all local authorities asking about the bylaws they had in place for traps, and the type of restrictions they would like to see in effect via a regulation under the Act. Nineteen submissions were received (including five from regional councils or unitary authorities) with nine authorities indicating they had bylaws in place regulating the use of traps.

MAF also discussed aspects of this proposal with various individuals, organisations, government departments and private companies to help it come to the conclusions outlined in this document. MAF has discussed this proposal with NAWAC.

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<sup>1</sup> The National Animal Welfare Advisory Committee or NAWAC is an independent advisory body to the Minister of Agriculture. See Appendix 1 for details.

<sup>2</sup> Ministry of Agriculture and Forestry, 2002, Proposed Prohibition on the Use of Specified Leg Hold Traps: MAF public discussion paper No. 28. Wellington.

### 1.3 COMMENTS INVITED

This paper outlines proposed policy changes for leg hold traps. We would appreciate any feedback on the proposals by **Friday 8 June 2007**. Key questions for comment appear in section 5.1. Depending on the outcome of this consultation, a regulation would need to be in place by the end of 2007 as existing local bylaws for leg hold traps expire on 31 December 2007.

## **2 Context<sup>3</sup>**

### **2.1 THE ANIMAL WELFARE ACT 1999**

The Animal Welfare Act 1999 (the Act) came into force on 1 January 2000 bringing responsibility for animal welfare matters under that legislation.

Sections 32-36 of the Act contain provisions to regulate the use of traps (see Appendix 4 for details). Any trap can be used on an animal except where there is a regulation in effect declaring that trap to be prohibited or restricted. If such a regulation is in place, a prohibited trap cannot be used or sold and a restricted trap may only be used or sold in the way permitted by the regulation. A prohibition or restriction may be general or may relate to a particular trap or class of trap. A regulation for a restricted trap or class of trap may relate to its use in relation to a particular species or type of animal, or a specified geographic location.

Section 33 of the Act outlines criteria that the Minister must consider when deciding whether or not to recommend that a trap be prohibited or restricted.

Section 56 of the Act enables the National Animal Welfare Advisory Committee (NAWAC) to be established and section 57 sets out its functions (see Appendix 4 for details). NAWAC provides advice to the Minister of Agriculture on any matter relating to the welfare of animals in New Zealand, except for in the use of animals in research, testing and teaching. Information about NAWAC appears in Appendix 1.

Any breach of the provisions of the regulation is an offence punishable by up to six months imprisonment and/or a fine of up to \$25,000 (or up to \$125,000 for a body corporate).

### **2.2 WHAT IS A LEG HOLD TRAP?**

“Leg hold trap” is a term that covers different kinds of traps designed with the primary purpose of catching and holding an animal by a limb. It is sometimes referred to as a “foot-hold trap”. Leg hold traps used in New Zealand have metal jaws, although different materials with similar properties could be used to the same effect. Generally, leg hold traps work through the use of leaf springs or coils, which are compressed when the trap is set. The jaws are opened and the trip latch is set under the trigger pan. When an animal steps on the pan the springs are released and the jaws close quickly on the animal. The aim is to catch the animal by a limb and hold it firmly until the trapper returns.

Leg hold traps are often referred to by a number, which is a measure of the size of the trap, particularly its jaws. Larger traps have higher numbers.

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<sup>3</sup> Much of the information in this section is based on the discussion document MAF released in 2002 (MAF, 2002), submissions received in response to that document, and conversations with various people knowledgeable on this topic.

## **2.3 WHAT KINDS OF LEG HOLD TRAPS ARE AVAILABLE IN NEW ZEALAND?**

Leg hold traps used in New Zealand are usually imported from overseas manufacturers, although a few have been made here recently. Most leg hold traps have one of two principal mechanisms:

- long springs such as the Lanes-Ace (or gin) trap;
- coil springs such as the double-coil Victor-type traps.

Traps with either mechanism may have:

- hard jaws (exposed metal jaws with no padding) or padded jaws (jaws are padded using rubber, polymers or other materials, such as the Victor Soft-catch range, or the BMI Cushion Catch);
- “teeth” or a serrated edge to the jaw such as the Lanes-Ace trap.

Appendix 2 contains a description of the various types of trap referred to in this document.

## **2.4 FOR WHAT PURPOSES ARE LEG HOLD TRAPS USED?**

In New Zealand, leg hold traps are mostly used for animal pest control operations and monitoring (e.g. monitoring the effectiveness of a possum poisoning operation). Size 1 traps (like the Victor 1) are the most commonly used trap for both pest control and monitoring operations and are not affected by this proposal. Leg hold traps have been used widely here for many years for these purposes and have made an important contribution to eradicating or controlling pests. Effective pest control operations are considered of great national importance.

Animals that are the target of leg hold trapping programmes include rabbits, possums, stoats, ferrets and feral cats. Pest control operations aim to eradicate target animals or reduce their numbers to protect conservation values and enhance biodiversity, and/or for economic advantage to protect access to markets and promote farm animal health. Examples of the latter programmes are those carried out on animals that are major vectors of bovine tuberculosis (possums, ferrets).

Leg hold traps are also used to harvest animals for their fur or meat.

## **2.5 WHO USES LEG HOLD TRAPS?**

Regional councils and their contractors use leg hold traps to carry out pest control and monitoring programmes under their regional pest management strategies or the National Bovine Tuberculosis Pest Management Strategy made under the Biosecurity Act 1993. The Department of Conservation carries out control and monitoring programmes on introduced animals on public conservation lands to protect endangered native species and enhance biodiversity. Landowners may also use leg hold traps to control pests on private land.

Most trapping for fur or meat is done by private individuals.

## **2.6 WHY ARE LEG HOLD TRAPS USED RATHER THAN ALTERNATIVES?**

Leg hold traps are often a preferred method to control pests or catch animals because:

- they are easy to use and can be reused;
- they are durable;
- they are relatively light-weight and easy to carry (important for pest control operations in remote areas or difficult terrain);
- animals do not have to enter a cage, or bite baits to be caught;
- they are relatively cheap;
- they do not rely on toxins;
- non-target animals can sometimes be released; and
- traps used frequently in New Zealand are thought by trappers to have good capture efficiency.

## **2.7 WHAT ARE THE ANIMAL WELFARE CONCERNS WITH LEG HOLD TRAPS?**

The use of leg hold traps has raised concerns about animal welfare, especially from groups interested in the welfare of animals including NAWAC, the Royal New Zealand Society for the Prevention of Cruelty to Animals, and the New Zealand Veterinary Association. Concerns vary from the general use of leg hold traps to the use of specific traps, especially those with teeth or those thought to cause a high degree of injury to captured animals.

From an animal welfare perspective, leg hold traps raise the following concerns:

- injury and distress associated with capture itself and with being held;
- potential for escape of injured animals; and
- exhaustion from lack of food and dehydration if animals are held in the trap for a long time.

NAWAC tested four leg hold traps representative of the types available in New Zealand against its own draft guidelines on the humane use of traps. The Lanes-Ace and Victor 1.5 hard-jaw traps did not meet the draft specifications as they caused too many severe injuries to the test animal. The Victor 1 unpadded trap also failed, but caused fewer injuries. The Victor 1.5 padded trap passed the test. The Victor 3 trap and other large traps were not tested against NAWAC's specifications, but larger traps tend to result in more (and more severe) injuries to smaller animals.

MAF's 2002 discussion document assessed the degree of pain or distress experienced as a result of being caught in various leg hold traps. It concluded that leg hold traps can inflict pain and distress, although not all target animals caught are badly injured. The amount of pain and distress caused depends on a number of factors including how the traps are set and the type of trap used.

Determining the reasonableness or otherwise of pain and distress includes consideration of whether there is a high likelihood of severe injury, and whether less-injurious alternatives that give the same or similar results are available. The paper concluded that there are less injurious traps available than the Lanes-Ace and Victor 1.5 hard-jaw. The use of the Victor 3 trap also may not be justified as there are more suitable alternative methods of control for the few large target species present in New Zealand (wallaby, pigs and feral cats).

A study conducted in New Zealand since the release of the discussion document supports the assessment above. Specifically, work done to investigate the use of chain-springs as a means of improving the welfare outcomes in possums caught with Lanes-Ace and Victor 1.5 traps<sup>4</sup> confirmed again that Lanes-Ace and Victor 1.5 unpadded traps cause more severe injury than Victor 1 traps, and showed that while chain-springs did significantly reduce injuries caused by Lanes-Ace traps, they did not do so enough to make these traps as acceptable as the Victor 1.

## **2.8 INTERNATIONAL CONSIDERATIONS**

Internationally there has been much debate over the use of leg hold traps on animal welfare grounds, which has led to prohibition or restriction on the use of these types of traps in many countries.

Most member states of the European Union had prohibited the use of leg hold traps by 1990. The European Union proposed a trade ban on furs coming from countries that practised leg hold trapping, but later negotiated agreements on humane trapping with countries like Russia, Canada and the United States. The agreements outline acceptable methods of humane trapping and the traps that can be used if trade is to occur.

In the United Kingdom all spring traps must first be approved by the Department of Environment, Food and Rural Affairs. Legislation is then made that approves the trap and sets conditions for its use. Spring traps with a toothed or serrated edge have been banned in Britain since 1954.

The situation in New Zealand is different from that in Northern Hemisphere countries. These countries mostly harvest fur-bearing animals and do not seek to control or eradicate their target species. The impacts of introduced animals on New Zealand's unique ecology and endemic species produces a compelling need to control species down to population levels that are unnecessary in other countries without equivalent problems.

Different rules apply in the various states of Australia. Large steel-jawed leg hold traps (over 12cm across the hinge) are banned in Victoria and smaller leg hold traps are banned from certain areas including urban areas. All steel jaw traps are banned in New South Wales, and Tasmania has prohibited the use of steel jawed leg hold traps with an ability to seek a Ministerial exemption. Steel-jawed leg hold traps are prohibited from general use in the Australian Capital Territory, although private landowners can still use them on their own land. Metal-jaw traps are not permitted for use in the Northern Territory without express authority. Western Australia has rules for the use of jawed traps that allows landowners and certain other people to use them if the jaws are bound with a cloth with sufficient strychnine to ensure the animal has a rapid death. South Australia allows leg hold steel jaw traps for use on wild or feral dogs only and only in certain areas.

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<sup>4</sup> Warburton B and Poutu N., 2002, Effectiveness of Chain-Springs on Leghold Traps for Reducing Injuries to Captured Possums. Landcare Research Contract Report: LC0203/031.

### 3 Policy Proposals

This section outlines proposed policy changes for the sale and use of leg hold traps and the reasons for them. The recommendations describe the intent of the policy. The exact wording may not necessarily be that used in any new regulation.

#### 3.1 DEFINITIONS

Definitions will be required in the regulation to clearly describe some terms.

- i) A **leg hold trap** means a trap with metal jaws designed with the primary purpose of catching and holding an animal by a limb, including the foot.

##### **Comment**

For the purposes of the proposed prohibition, leg hold traps include only those traps with metal jaws. Snares are not a leg hold trap under this proposal.

- ii) A **trap of size 1.5** means a leg hold trap that measures 10.5cm across its closed jaws.

##### **Comment**

Several leg hold traps of around size 1.5 are available in New Zealand. There is no precise specification of what constitutes a trap of this size and variations in jaw and trigger pan size occur. The measurement of 10.5cm across the closed jaws was derived from a range of traps around size 1.5. The Victor 1 measures 10.0cm across its closed jaws so is unaffected by provisions for traps of size 1.5 or larger.

- iii) A **padded trap** means a commercially manufactured leg hold trap that has non-abrasive and durable cushioning material firmly fixed to the contact surfaces of its metal jaws.

##### **Comment**

This definition describes the minimum standard for an acceptable padded leg hold trap, and includes the Victor Soft-catch range and BMI Cushion Catch. Only commercially manufactured padded leg hold traps would be permitted to ensure an acceptable standard of animal welfare is maintained. See section 4.5 for further discussion on modifications to traps.

## 3.2 RECOMMENDATIONS

### Recommendation 1: Use of certain leg hold traps prohibited

Except as provided for in recommendation 4:

- 1a) All **long-spring** leg hold traps **of size 1.5 or larger** are prohibited. They may not be used in any area from 1 January 2009.
- 1b) All **double-coil spring** leg hold traps **larger than size 1.5** are prohibited. They may not be used in any area from 1 January 2009.
- 1c) All **double-coil spring** leg hold traps **of size 1.5** (other than a padded trap of size 1.5) are prohibited. They may not be used in any area from 1 January 2011.

Note: The use of other leg hold traps such as those of size 1 (like the Victor 1) and size 1.5 padded traps (like the Victor 1.5 Soft-catch) is not affected by this proposal.

#### Comment

- Recommendation 1a includes the Lanes-Ace (or gin) trap and similar traps.
- Recommendation 1b includes Victor 2, 3, 4 and similar large traps.
- Recommendation 1c includes the Victor 1.5 hard-jaw and other size 1.5 hard-jaw traps.

MAF proposes that all traps of a similar size and type to those recommended by NAWAC (see section 2.1) be prohibited. The traps would be prohibited for any purpose where they were being used to trap animals, including as a kill trap (see section 4.3). They could only be used by approved people in specified circumstances after consideration by the Minister (see recommendation 4). All leg hold traps have the same basic purpose of restraining target animals by the limb, including the foot. The three specific traps that NAWAC proposed to be prohibited are representative of those with similar mechanisms and properties. The animal welfare concerns are likely to be similar for other traps around the same size with similar mechanisms, although not all have been tested.

MAF proposes that all large traps (i.e. those greater than size 1.5) be prohibited. Larger traps tend to result in more (and more severe) injuries to smaller animals. In New Zealand few large animals are targeted in trapping programmes and it is difficult to avoid non-target species by-catch. Less injurious alternatives are available for these large animals (wallaby, pigs, feral cats).

Submitters to MAF's 2002 discussion document had mixed views on whether the three types of trap should be restricted and the extent of those restrictions. Some wanted all leg hold traps prohibited and others wanted to retain certain traps. There was greatest support for prohibiting the use of the Lanes-Ace and Victor 3 traps. Several submitters were surprised that the Lanes-Ace trap could still be used in New Zealand.

The most commonly used trap in New Zealand, the Victor 1, will not be affected by this proposal. It is the preferred trap for monitoring the effectiveness of pest control operations (e.g. after a possum poisoning operation) and is also the most commonly used trap for trapping programmes. While the Victor 1 failed the NAWAC guidelines on humane use of traps, it caused the least injuries and trauma of those tested. MAF does not propose any restrictions on the use of this trap (other than those in recommendation 3) as there is a compelling need to retain an effective leg hold trap for animal pest control and monitoring purposes.

The Victor 1.5 hard-jaw and Lanes-Ace traps are the next most commonly used traps, although a number of submitters reported they only use these traps in special circumstances, not routinely. Many regional councils and vertebrate pest control operators reported that they no longer use the Lanes-Ace trap, while several others indicated that the Lanes-Ace and Victor 1.5 hard-jaw traps were useful for monitoring the success of possum or other pest control operations. The need to use the Victor 1.5 for monitoring possum operations has changed with the National Possum Control Agencies<sup>5</sup> having adopted the Victor 1 as the required monitoring trap.

A number of trappers indicated that it would be costly to replace existing traps and that they would need time to move to alternatives. Several suggested the government compensate them for losses incurred in making the transition to another trap or set up a buy-back scheme. Under the current proposal, trappers will have over one year from when the regulation is made (likely to be in the second half of 2007) to move away from the Lanes-Ace and Victor 3 traps. These are the two most inhumane leg hold traps and the least used in New Zealand of the types under consideration. The date of 1 January 2009 was chosen to provide a fair compromise between the desire to restrict use of these traps and the cost of replacing them.

A longer transition period is proposed before the Victor 1.5 hard-jaw trap is prohibited as it is more widely used and so the overall cost of transition will be greater. Trappers will have over three years, until 1 January 2011, to move away from the use of these traps. This would allow the cost of new equipment to be spread over several years.

A number of submitters, including regional councils, were concerned that a prohibition on some traps may mean these options would not be available to them if circumstances change, such as in the event of a biosecurity emergency. The ability for approved people to use these traps in such situations (subject to Ministerial approval) is provided for in recommendation 4 below and should address those concerns.

### **Recommendation 2: Sale of certain leg hold traps is prohibited**

The traps prohibited from use in recommendations 1a, 1b and 1c may not be sold from 1 January 2008 other than to a person with approval under recommendation 4.

#### **Comment**

Preventing sales soon after the regulation takes effect is intended to reduce the availability of unacceptable traps. The date of 1 January 2008 was chosen to provide certainty (especially to importers and suppliers) of when sales can no longer occur since the precise date the regulation will take effect is unknown. In addition, the short lead in time reflects the fact that the proposal to ban these types of traps was signalled in the 2002 discussion paper.

The sale of other leg hold traps such as those of size 1 and 1.5 (padded) is not affected.

### **Recommendation 3: No leg hold trap may be used in certain areas**

From 1 January 2008, no leg hold trap may be used:

- (a) 300 metres from any dwelling; and
- (b) in any area where it is likely to trap a companion animal;

other than by a person with approval under recommendation 4.

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<sup>5</sup> The National Possum Control Agencies is a coordinating body of best practice for New Zealand agencies involved in possum control (see [www.NPCA.org.nz](http://www.NPCA.org.nz)).

## **Comment**

The aim of this recommendation is to reduce the risk of pain and injury (sometimes serious and requiring amputation of a limb) to non-target animals, especially companion cats and dogs. Companion animal numbers are likely to be high in areas of higher human density. Under this proposal, humane kill traps and other humane restraint traps could still be used in these areas if there was a serious pest problem. Although not an animal welfare consideration, the restriction has the added benefit that it is likely to reduce risk of injury to people.

Nineteen local authorities commented when asked about the use of bylaws to restrict the use of traps in their area and nine territorial authorities indicated they had such bylaws. These bylaws applied to either urban or residential areas, with all nine authorities restricting the Lanes-Ace (or gin) trap in those areas. Three authorities also prohibited the use of any spring trap, one prohibited all steel-jaw traps, three prohibited all traps and one authority had variations by borough ranging from prohibition on Lanes-Ace traps to all traps. One authority allowed use of Lanes-Ace traps in urban areas under permit.

All local authorities supported the proposition that the Lanes-Ace trap should not be used in urban or residential areas, and most indicated that leg hold traps that did not meet NAWAC's humaneness standard should not be permitted in these areas either. Five local authorities considered that no leg hold trap should be used in these areas.

Of the five regional councils or unitary authorities that responded, two commented on the general use of the three traps under consideration (i.e. not only on their use in populated areas), and another two considered that leg hold traps judged acceptable by NAWAC should not be prohibited in urban areas because of the need to maintain effective pest control tools or to preserve biosecurity control options. These biosecurity issues are addressed under recommendation 4 below.

The date of 1 January 2008 means there is a seamless transition from when existing bylaws expire on 31 December 2007 to the new regulation under the Animal Welfare Act.

## **Recommendation 4: The Minister may approve a person to use or sell an otherwise prohibited trap**

- 4a The Minister may approve a person to use (or sell) a leg hold trap:
- i) that would otherwise be prohibited under recommendation 1a, 1b or 1c; or
  - ii) within 300 metres of a dwelling or in any area where it is likely to trap a companion animal.
- 4b The Minister may approve the person referred to in recommendation 4a to use or sell the trap in a specified situation or for a specified purpose and may set conditions on that use, if the Minister considers that:
- i) the matter is in the public interest (includes for biosecurity, conservation, human health and animal health purposes); and
  - ii) no viable alternative is available given the circumstances.

## **Comment**

This recommendation allows people to use and sell traps that are otherwise prohibited on successful application to the Minister. It aims to deal with situations where the use of one of these traps would be in the public interest and where alternative methods are either not available or are not feasible given the circumstances (e.g. other traps are not able to

sufficiently target the species in question). Ministerial approval could be given in urgent and routine, as well as one-off and ongoing, situations.

The Minister could apply conditions to the use of the traps. Uses that would be in the public interest include those for biosecurity, conservation, human health and animal health purposes. Having this provision as a Ministerial approval, rather than stipulating situations within the regulation, provides flexibility for unforeseen situations as well as giving the Minister the ability to withdraw approval or change the conditions of use if more humane alternatives become available.

A number of submitters raised the need to be able to use some of the prohibited traps in specific situations e.g. for dealing with a biosecurity incursion or to monitor the success of pest control operations. Biosecurity New Zealand has indicated that it is unlikely to use these traps to deal with a new biosecurity incursion as there are likely to be more effective and humane alternatives, but some regional councils consider they may need to use them for certain local biosecurity operations if there are no viable alternatives. This recommendation would address those needs.

## **4 Other Matters Considered**

### **4.1 RESEARCH, TESTING AND TEACHING**

This proposal is not intended to prevent the use of traps for research, testing and teaching. Under section 81(1) of the Act the prohibition or restriction on the use of traps outlined in this paper would not prevent the use of these traps in research, testing and teaching conducted under Part 6 of the Act. It is therefore not necessary to make provision in the regulation for the use of traps in research, testing and teaching.

Research under Part 6 refers in general terms to research associated with some manipulation to an animal. A leg hold trap used for pest control, surveillance or monitoring purposes is not “research” in terms of the Act. If a prohibited leg hold trap were to be used for these purposes, approval would need to be sought from the Minister (under recommendation 4).

### **4.2 IMPORTATION RESTRICTION ON LEG HOLD TRAPS**

NAWAC recommended that the importation of certain leg hold traps be prohibited. MAF considers that the general intent of NAWAC’s recommendations to enhance animal welfare has been met with the prohibition on the sale and use of the more inhumane leg hold traps. An import restriction is unlikely to significantly enhance animal welfare over and above what is already proposed.

The Act does not contain provisions to prohibit or restrict imports. If such prohibitions or restrictions are needed, they could be made under section 54 of the Customs and Excise Act 1996. Any such restriction is only valid for three years at a time. Orders are currently in place for four items, which appear to have a higher level of public or political importance (offensive weapons, asbestos, toothfish and trout).

### **4.3 USE OF LEG HOLD TRAPS AS KILL TRAPS**

A leg hold trap is normally used as a restraint trap, but is sometimes used as a kill trap e.g. by the Department of Conservation. Under this proposal a prohibited leg hold trap could not be used as a trap, whether as a restraint trap or a kill trap. An exemption could be sought from the Minister to enable people to use an otherwise prohibited trap in this way if the use of that trap is in the public interest (see recommendation 4).

### **4.4 TIME BETWEEN INSPECTION OF TRAPS**

A number of submitters to MAF’s 2002 discussion document suggested that the time in which a leg hold trap must be inspected should be within eight hours of sunrise. Currently section 36 of the Act specifies that traps should be inspected within 12 hours of sunrise. This was decided on the basis of the practicality of checking traps that had been set the day prior.

MAF considers that it would be unreasonable to change the inspection time for leg hold traps only and not for other potentially inhumane traps, including snares and other capture traps. If a change in inspection time is necessary, it should be considered within the context of all traps and would involve an amendment to the Act.

## 4.5 MODIFICATION OF TRAPS

The majority of submitters to MAF's 2002 discussion document did not support modification of traps after manufacture, although some thought the Victor 1.5 hard-jaw trap should be able to be modified so that it achieves a standard of animal welfare similar to that of the Victor 1.5 padded trap. Arguments against modification related to the ability to enforce the provision as trappers might remove the padding material when they used the trap and then replace it after use, or might not modify the trap to an acceptable standard.

Many trappers prefer the hard jaw 1.5 trap and will be faced with significant costs in moving to alternatives (such as forgone investment, cost of purchasing new traps<sup>6</sup>). However, there are practical difficulties in modifying a hard jaw trap into a padded trap as the jaw components differ. For example, the jaws on the Victor 1.5 Soft-catch are designed to hold the required padding and that same padding cannot be added to a Victor 1.5 hard jaw trap and still hold an animal adequately. As an improved standard of animal welfare cannot be assured, MAF considers that hard jaw size 1.5 traps should not be able to be modified.

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<sup>6</sup> A Victor 1.5 Soft-catch costs around \$26-\$40 to purchase new

## 5 Notes for Submitters

MAF welcomes submissions from all interested parties on the proposals presented in this document.

Submissions are public information and may be the subject of requests under the Official Information Act 1982. If you consider that any or all of the information in your submission should be treated as confidential or commercially sensitive, please state this clearly in your submission. Any decision to withhold information under the Official Information Act may be reviewed by the Ombudsman.

### 5.1 KEY QUESTIONS

As part of your submission, MAF would particularly welcome comment on the following questions.

1. Do you agree that 3 years is an appropriate phase-out period for size 1.5 hard-jaw leg hold traps? If not, should the phase out period be longer or shorter? Please state your reasons.
2. Do you agree that 1 year is an appropriate phase-out period for leg hold traps larger than size 1.5 (such as the Victor no. 3)? If not, should the phase out period be longer or shorter? Please state your reasons.
3. Do you agree that 1 year is an appropriate phase-out period for Lanes-Ace traps (gin traps)? If not, should the phase out period be longer or shorter? Please state your reasons.
4. Do you agree that 300 metres from any dwelling is an appropriate distance for a ban on all leg hold traps? If not, what distance would be more appropriate? Please state your reasons.
5. Do you agree that the Minister should be able to approve a person to use or sell an otherwise prohibited trap in certain cases? If not, why?
6. Do you consider that the stated impacts of the proposals outlined in this document are accurate? If not, please state your reasons.
7. If you **do not** agree with the proposals outlined in this document, what do you consider are feasible alternative options that will achieve equal animal welfare outcomes? Please comment on the impacts of any further options you suggest.

## **5.2 REQUIREMENTS FOR SUBMISSIONS**

Submitters are asked to include the following information in their submissions:

- the title of this document;
- your name and title;
- your organisation's name (if applicable);
- your address and contact details (e.g. phone, fax and email); and
- the number(s) of the sections you are commenting on.

## **5.3 CLOSING DATE FOR SUBMISSIONS**

All submissions must be received by MAF no later than **Friday 8 June 2007**. Please address submissions to:

Natalie Nesbitt  
Policy Analyst  
Biosecurity New Zealand  
PO Box 2526  
WELLINGTON

Email: [natalie.nesbitt@maf.govt.nz](mailto:natalie.nesbitt@maf.govt.nz)

Facsimile: 04 894 0730

## **5.4 PROCESS FOLLOWING RECEIPT OF SUBMISSIONS**

At the conclusion of the consultation period submissions will be analysed and a final policy position agreed. A document summarising the submissions will be made available for viewing on request. Depending on the outcome of this consultation, a regulation would need to be in place by the end of 2007 as existing local bylaws for leg hold traps expire on 31 December 2007.

# Appendix 1

## Information on the National Animal Welfare Advisory Committee (NAWAC)

The functions of the National Animal Welfare Advisory Committee (NAWAC), as set out in the Animal Welfare Act, are to:

- advise the Minister on any matter relating to the welfare of animals in New Zealand, including:
  - areas where research into the welfare of animals is required;
  - legislative proposals concerning the welfare of animals.
- make recommendations to the Minister on:
  - declaring procedures not to be manipulations;
  - declaring procedures to be significant surgical procedures and classifying surgical procedures as prohibited or restricted;
  - declaring traps or devices to be prohibited or restricted and any conditions on the sale or use of restricted traps.
- issue, amend, suspend, revoke or review codes of welfare;
- promote, and assist others to promote, the development of guidelines for:
  - the use of traps and devices;
  - the hunting or killing of animals in a wild state.

Current members of NAWAC are:

**Dr Peter J O’Hara** Retired Veterinarian (Independent chairperson)

**Dr Philip E Cowan** Science Leader Pest Control Technologies, Landcare Research NZ Ltd (nominated by Landcare Research NZ Ltd)

**Dr Selwyn S A Dobbinson** Registered Veterinary Specialist (nominated by the New Zealand Veterinary Association)

**Mr John R Martin** Consultant (Chairperson of the National Animal Ethics Advisory Committee)

**Mrs Jenifer M Prattley** National Vice-President, Royal New Zealand Society for the Prevention of Cruelty to Animals (nominated by the RNZSPCA)

**Mr Hilton E Collier** Farm business consultant (nominated by Te Puni Kokiri)

**Mrs Edna J McAtamney QSM** Councillor, Central Otago District Council (nominated by Ministry of Women's Affairs)

**Mr Charles W Pedersen** Farmer (nominated by Federated Farmers of New Zealand)

**Dr Wayne Ricketts** Compliance Team Manager, Compliance and Enforcement Group, MAF Biosecurity New Zealand (Ministry of Agriculture and Forestry nominee)

**Professor Bruce J Ross** Agricultural economist (Independent appointment)

**Dr Gwyneth A Verkerk** Veterinarian and animal welfare scientist (nominated by New Zealand Society of Animal Production).

## Appendix 2

### Description of traps discussed in this document

Descriptions of the traps discussed in this document are outlined below. A number refers to the size of a leg hold trap - the larger the number, the larger the trap.

The **Lanes-Ace** (Figure 1) trap is primarily used on possums, feral cats and ferrets. Its features include a long spring, and unpadding serrated jaws. The Lanes-Ace has been used in New Zealand for many years, and has been shown to be effective in capturing some species. MAF proposes that use of the Lanes-Ace trap be prohibited from 1 January 2009.



**Figure 1: The Lanes-Ace trap<sup>7</sup>**

The **Victor 1.5** (Figure 2) is a double-coil spring trap with smooth, unpadding jaws. It is primarily used on possums, feral cats and ferrets. A Soft-catch version of this trap (to target the same species) is also available (Figure 3). MAF proposes that use of the Victor 1.5 hard jaw trap be prohibited from 1 January 2011. The Victor 1.5 Soft-catch (or padded) trap is **not prohibited** under this proposal, except within 300 metres from a dwelling or in any area where it is likely to trap a companion animal from 1 January 2008.



**Figure 2: Victor 1.5 hard jaw<sup>8</sup>**



**Figure 3: Victor 1.5 Soft-catch<sup>9</sup> or padded trap**

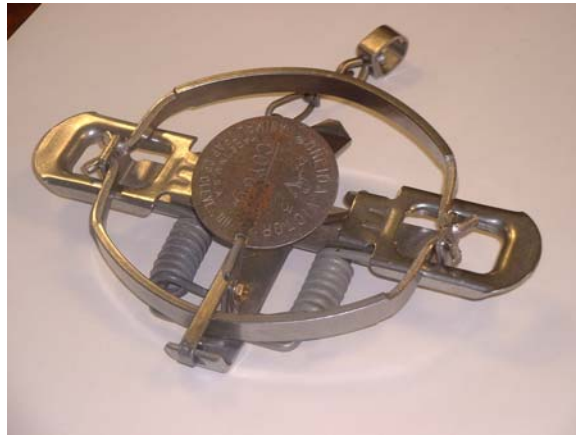
The **Victor 3** (Figure 4) is a larger double-coil spring trap. It has been used in New Zealand as part of wallaby, feral cat and pig control operations. Soft-catch and hard jaw versions are

<sup>7</sup> Photo courtesy of B. Warburton.

<sup>8</sup> Photo courtesy of B. Warburton.

<sup>9</sup> Photo courtesy of B. Warburton.

available. MAF proposes that use of the Victor 3 and similar large trap be prohibited from 1 January 2009.



**Figure 4: Victor 3 hard jaw<sup>10</sup>**

The **Victor 1** (Figure 5) is smaller than the Victor 1.5 and is used on the same range of target species. A Soft-catch version is available (Figure 6). The Victor 1 has been the most popular possum trap in use in New Zealand since the 1980s and is the required monitoring trap by the National Possum Control Agencies. The Victor 1 trap is **not prohibited** under this proposal, except within 300 metres from a dwelling or in any area where it is likely to trap a companion animal, from 1 January 2008.



**Figure 5: Victor 1 hard jaw<sup>11</sup>**



**Figure 6: Victor 1 Soft-catch<sup>12</sup> or padded trap**

<sup>10</sup> Photo courtesy of Department of Conservation.

<sup>11</sup> Photo courtesy of B. Warburton.

<sup>12</sup> Photo courtesy of B. Warburton.

## **Appendix 3**

### **Key issues raised during consultation on MAF's discussion document *Proposed Prohibition on the Use of Specified Leg Hold Traps* released in December 2002**

#### **3.1 Submitters**

Eighty submissions were received on MAF's 2002 discussion document:

- 22 from district or regional councils;
- 2 from government bodies;
- 37 from either trappers (16), or part of the pest management industry (13), or from various other industries that use traps or have an interest in their use (8);
- 13 from individuals who were either qualified or experienced (3), or members of the general public (10);
- 4 from non-governmental organisations with an interest in animal welfare; and
- 2 from research institutes.

#### **3.2 Is the pain or distress caused by leg hold traps unreasonable?**

Many submitters felt that the specified leg hold traps cause significant pain and distress to target and non-target animals. Many noted that Lanes-Ace traps cause significantly greater injury to animals than the Victor 1. Many felt that considering the availability of alternatives, the pain and distress caused by the specified traps is unreasonable.

Some submitters believed that while animals initially experience great pain and distress, this subsides, and possums particularly are often found "asleep" when the trapper arrives the next day.

Some submitters felt that alternative methods of pest control to leg hold traps, such as poisons or shooting, offer no greater animal welfare benefits to target animals. Indeed, many considered death by poisoning less reasonable than being held in a leg hold trap for humane euthanasia. Some pointed out that the eventual death of a possum is quick in a leg hold trap compared to poisoning by 1080, or a sub-lethal dose of choliciferol, which leaves possums emancipated and starving.

Some submitters felt that the pain and distress caused by the traps is reasonable when put in context of the target species' potential to cause damage to native flora and fauna and the New Zealand economy.

Others felt that the animal welfare benefits of replacing the Victor 1.5 with the Victor 1 would be marginal in relation to the cost, and possible adverse impacts, on vector control operators.

#### **3.3 Should leg hold traps be prohibited or restricted or no action taken?**

Submitters had mixed views on whether the three types of trap should be restricted or prohibited, with some wanting all leg hold traps prohibited and others wanting to retain certain traps. There was greatest support for prohibiting the use of the Lanes-Ace trap and the larger Victor 3. Several submitters expressed surprise that the Lanes-Ace trap could still be used in New Zealand.

### **3.4 Should only the specified traps be prohibited or restricted or all similar traps?**

Most submitters considered that all similar brands to the ones selected by NAWAC should be included in any prohibition. Many reasoned that the effects of traps are similar according to their type rather than their brand, thus, any controls would need to be by trap type or class.

Many submitters felt that all traps should be tested against pre-established criteria before being approved for use. A small number felt that including brands in a prohibition without prior testing is unfair.

### **3.5 Are there adequate alternatives to the specified traps?**

A clear majority of submitters considered there are suitable alternatives to the specified leg hold traps for domestic or small-scale use, including the Victor 1 trap, Timms traps, and cage traps.

Submitters expressed a range of views on whether alternatives (i.e. Victor 1, Victor 1.5 padded, or others) are capable of providing the same level of benefit as the specified traps. Some felt more research is needed to ascertain whether the Victor 1 is an effective replacement for the Victor 1.5 and Lanes-Ace for possum control. A few submitters suggested biological and genetically engineered control methods should be introduced as suitable alternatives to leg hold traps. Many submitters suggested more research be undertaken into alternative acceptable pest control methods.

One submitter claimed that alternatives to leg hold traps are not easily available for small holders as many pesticides can only be used by licensed operators and firearms may not be available or are inappropriate for use in built up areas. This submitter raised the point that animals found in live capture traps such as cages may not be humanely killed as he believed it was common for caged animals to be drowned in water-toughs while still in their cage.

### **3.6 Should all species be covered in a prohibition or restriction?**

The majority of submitters considered that any prohibition should be for all species, although a small number felt that particular traps should be allowed to trap certain species only. Submitters generally considered a species specific regime too difficult to enforce. Submitters also noted that traps are non-specific and thus considered it impossible to protect against by-catch.

### **3.7 The cost of transitioning to alternatives**

A number of trappers were concerned at the cost of moving to alternatives (e.g. of forgone investment, need to purchase new traps) if prohibitions or restrictions were imposed. Some suggested the government compensate them for losses incurred in making the transition to another trap or should set up a buy-back scheme.

### **3.8 Should modifications be allowed and could they be enforced?**

The majority of submitters believed that:

- modifications would not be done properly;
- rules relating to modifications would be difficult to monitor and enforce;

- modifications such as the padding of hard-jaw traps can, and would, be easily removed; and
- amateur modifications would result in high escape rates. Escaped animals will then become trap-shy and subsequently more difficult to catch.

Many submitters felt that padded jaws do not have the same capture rate as unpadded traps, so padding would be removed. The majority felt that trap users could not be relied upon to comply with any modification rules.

One submitter suggested modifications including compulsory numbering of all traps in a line to ensure none are left when a trap line is pulled out, and the fitting of springs to the chain of leg hold traps as viable options.

### **3.9 Should there be a phase-out period – how long?**

A number of submitters commented on the time they would need to move to alternatives. The vast majority supported a phase-out period for these traps. Reasons for support included:

- heavy investment in traps; and
- time needed to develop alternative traps that are at least as effective as the prohibited ones.

Some submitters felt that no phase-out period should apply in urban areas. A small number felt that, given the length of time since the introduction of the Animal Welfare Act, there should be no further delay in implementing the prohibitions, except in some restricted cases for a limited time.

Some submitters considered that the Victor 3 does not require a phase-out period as it is barely used, and that the Lanes-Ace has been unacceptable for over a decade and does not require a phase-out period. Some submitters were surprised that the Lanes Ace was not already banned.

The majority of submitters felt that a period of approximately two to five years would be appropriate. A small number suggested that a phase-out period should extend until the prohibited trap is no longer functional. One submitter felt that any phase-out period should extend until all mammalian pest species have been eradicated from New Zealand.

### **3.10 Are education and guidelines preferable to regulation?**

Many submitters indicated that a large awareness campaign would be needed to ensure knowledge of, and compliance with, new rules. Suggested schemes to encourage compliance alongside any phase-out period, included:

- buy-back of non-complying traps;
- replacement of non-complying traps with approved traps;
- compensation schemes; and
- discounts on approved traps for attending a user-training seminar.

### **3.11 Should some leg hold traps remain?**

The majority of respondents felt that the Victor 1 is an essential pest control and monitoring tool and should continue to be used. Many noted that it is:

- smaller and lighter than other traps, and therefore easier to transport;
- effective in capturing target species; and
- causes less injury to captured animals.

Many noted that the Victor 1 is needed for use in conjunction with poisons as a monitoring tool and that the National Trap Catch Monitoring Protocol requires monitoring of possum operations using the Victor 1. Conversely, others felt that as the Victor 1 failed and was shown to be inhumane under NAWAC's criteria, it is difficult to justify why it should not be prohibited. These submitters felt that it is pointless having a method to determine whether traps are humane or not and then overriding it because the consequences do not suit.

Some submitters argued that at least one unpadded trap is needed for possum control, and as the Victor 1 type trap causes the least injuries and trauma of those tested by NAWAC, it should continue to be used.

The majority of respondents considered that traps larger than size 1.5 are not needed or suitable for use in New Zealand and are rarely, if ever, used. A small number reported using the Victor 1.5 for wallaby, feral cats, pigs, goats, wild dogs, and/or deer. Only one submitter reported using a trap larger than size 1.5 - the Victor 3 and larger trap sizes set as kill traps to target ferrets and stoats. However, a small number of submitters felt that it may be unfair to ban the Victor 3 trap before it has been tested against the stipulated humaneness criteria. Some felt that larger trap sizes such as the Victor 3 should not be prohibited as they are needed to trap wild pigs, especially around possum trapping operations where pigs have been known to attack possums in traps.

Some submitters considered that there are no suitable alternatives to the specified traps because:

- Victor 1.5 is needed to control larger possums who may maintain Tb;
- Victor 1 is not as effective in terms of capture and non-escape of target animals (key aspects of an eradication programme);
- padded leg hold traps have a high escape rate;
- if toxins becomes unacceptable, a range of leg hold traps would be needed;
- fur trappers must use leg hold traps because the fur must be plucked from an animal while the carcass is still hot;
- live capture traps, such as box or cage traps, are expensive and bulky to carry;
- leg hold traps are required for possum monitoring as they provide head counts while poisoning does not; and
- size 3 and 4 traps are the only useful traps for catching wild pigs – especially where they are present in possum trapping areas and may attack possums in traps.

## **Appendix 4**

### **Extracts from the Animal Welfare Act 1999**

#### **32 Power to declare traps or devices to be prohibited or restricted traps or devices**

- (1) For the purposes of this Act, the Governor-General may from time to time, by Order in Council, made on the advice of the Minister tendered after consultation by that Minister with the National Animal Welfare Advisory Committee, declare any trap or device to be:
  - (a) A prohibited trap or a prohibited device; or
  - (b) A restricted trap or a restricted device.
- (2) Subsection (1) does not authorise the making of an order in respect of any trap or device used for fishing.
- (3) Subsection (2) does not derogate from the provisions of:
  - (a) The Wildlife Act 1953; or
  - (b) The Marine Mammals Protection Act 1978; or
  - (c) The Fisheries Act 1996.
- (4) Where the order declares any trap to be a restricted trap or any device to be a restricted device, the order may contain provisions regulating the sale or use of the trap or device.
- (5) An order may be general in its application or may relate to a particular trap or class of traps or a particular device or class of devices
- (5A) An order relating to a restricted trap or class of traps, or a restricted device or class of devices, may relate to –
  - (a) the use of a particular trap or class of traps, or a particular device or class of devices, in relation to a particular species or type of animal;
  - (b) a specified district or subdivision of a district of a territorial authority, or any specified part of New Zealand.
- (6) The Governor-General may, by Order in Council, made on the advice of the Minister tendered after consultation with the National Animal Welfare Advisory Committee, amend or revoke an Order in Council made under subsection (1).
- (7) The consultation required by section 184(1) is in addition to the consultation required by subsections (1) and (6) of this section.
- (8) Every Order in Council made under this section is deemed to be a regulation for the purposes of the Regulations (Disallowance) Act 1989 and the Acts and Regulations Publication Act 1989.

### **33 Criteria**

The Minister must, in deciding whether or not to recommend the making of an Order in Council under section 32(1) or section 32(6), have regard to the following matters:

- (a) The nature and purpose of the trap or device; and
- (b) Whether any pain or distress that the trap or device is likely to cause would be unreasonable; and
- (c) Whether the use of other instruments under this Act, or instruments under other Acts, are adequate to manage the effects of the trap or device on animal welfare; and
- (d) Whether the trap or device conforms to any relevant New Zealand standard within the meaning of the Standards Act 1988; and
- (e) the availability and cost-effectiveness of, and the feasibility of a transition to, other means of achieving the purpose of the trap or device (whether by means of another trap or device or by different means); and
- (f) Whether the trap or device could be modified, or the method of use controlled, to avoid unacceptable effects on animal welfare; and
- (g) The consultation conducted under section 32(1) or section 32(6), as the case may be, and any consultation conducted under section 184(1); and
- (h) Any other matter considered relevant by the Minister.

### **34 Restrictions on use of traps and devices to kill, manage, entrap, capture, entangle, restrain, or immobilise animals**

A person commits an offence who, without reasonable excuse and for the purpose of killing, managing, entrapping, capturing, entangling, restraining, or immobilising an animal:

- (a) Uses a prohibited trap or a prohibited device; or
- (b) Uses a restricted trap or a restricted device in contravention of any provision of an Order in Council made under section 32.

### **35 Restrictions on sale of traps and devices**

- (1) A person commits an offence who, without reasonable excuse, sells, attempts to sell, or offers or exposes for sale, a prohibited trap or a prohibited device.
- (2) A person commits an offence who, in selling a restricted trap or a restricted device, contravenes, without reasonable excuse, any provision of any Order in Council made under section 32.

### **36 Obligation to inspect traps**

- (1) A person who, for the purpose of capturing alive a mammal, bird, reptile, or amphibian, sets or causes to be set a trap, must:
  - (a) Inspect that trap, or cause a competent person to inspect that trap, within 12 hours after sunrise on each day the trap remains set, beginning on the day immediately after the day on which the trap is set; and
  - (b) Remove, or cause to be removed, any live animal found in that trap or attend properly to the care of any such animal or, without delay, kill any such animal.
- (2) A person commits an offence and is liable on summary conviction to a fine not exceeding \$1,200 who fails, without reasonable excuse, to comply with any provision of subsection (1).

## **56 National Animal Welfare Advisory Committee**

This section establishes a committee to be called the National Animal Welfare Advisory Committee.

## **57 Functions**

The functions of the National Animal Welfare Advisory Committee are:

- (a) To advise the Minister on any matter relating to the welfare of animals in New Zealand, including (without limitation):
  - (i) Areas where research into the welfare of animals is required; and
  - (ii) Legislative proposals concerning the welfare of animals:
- (b) To make recommendations to the Minister:
  - (i) Under section 3(3) (which relates to manipulation); and
  - (ii) Under sections 6 and 16 (which relate to surgical procedures):
- (c) To discharge its functions under section 32 in relation to the making of Orders in Council declaring traps or devices to be prohibited or restricted traps or devices:
- (d) To discharge its functions under section 32 in relation to the conditions that should be attached to the sale or use of any restricted trap or restricted device:
- (e) To make recommendations to the Minister concerning the issue, amendment, suspension, revocation, and review of codes of welfare:
- (f) To promote, and to assist other persons to promote, the development of guidelines in relation to:
  - (i) The use of traps or devices or both:
  - (ii) The hunting or killing of animals in a wild state.