

Endangered Species (Import and Export) Act 1976

CHAPTER 72

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6.

ELIZABETH II



Endangered Species (Import and Export) Act 1976

1976 CHAPTER 72

An Act to restrict the importation and exportation of certain animals, plants and items and to restrict certain transactions in respect of them or their derivatives; to confer on the Secretary of State power to restrict by order the places at which live animals may be imported; to restrict the movement after importation of certain live animals; and for connected purposes.

[22nd November 1976]

Convention on International Trade in endangered Species of Wild Fauna and Flora (in this Act referred to as the Convention) was signed at Washington on 3rd March 1973, was presented to Parliament in November 1973 and came into force in the United Kingdom on 31st October 1976:

And whereas it is expedient to give effect in the United Kingdom to the restrictions on international trade contained in the Convention and to make certain other provisions in connection with the conservation of endangered animals and

Now, therefore, be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1.—(1) Subject to subsection (2) below, the importation and Restriction of the exportation of the following things are hereby prohibited, importation namely—

and exportation of certain plants.

(a) a live or dead animal of any of the kinds to which animals and Schedule 1 to this Act for the time being applies;

- (b) a live or dead plant of any of the kinds to which Schedule 2 to this Act for the time being applies;
- (c) an item to which Schedule 3 to this Act for the time being applies.
- (2) Subsection (1) above does not apply to the importation or exportation of anything under and in accordance with the terms of a licence issued by the Secretary of State.
- (3) The Secretary of State shall submit any application for a licence under subsection (2) above to whichever one of the scientific authorities (as defined in section 2 below) he considers is the best able to advise him as to whether a licence should be issued in pursuance of the application and, if so, its terms; and, before he issues or declines to issue a licence in pursuance of the application, he shall allow the authority a reasonable time so to advise him.
 - (4) A licence issued under subsection (2) above—
 - (a) may be, to any degree, general or specific,
 - (b) may be modified or revoked at any time by the Secretary of State, and
 - (c) subject to paragraph (b) above, shall be valid for a period of 12 months commencing with the date the licence is issued or such shorter period as is stated in the licence.
- (5) The Secretary of State may charge for the issue of a licence under subsection (2) above such sum (if any) as is for the time being prescribed by order of the Secretary of State.
- (6) A person who, for the purpose of obtaining, whether for himself or another, the issue of a licence under subsection (2) above,—
 - (a) makes a statement or representation which he knows to be false in a material particular,
 - (b) furnishes a document or information which he knows to be false in a material particular,
 - (c) recklessly makes a statement or representation which is false in a material particular, or
 - (d) recklessly furnishes a document or information which is false in a material particular,

shall be liable on summary conviction to a fine not exceeding £400 or on conviction on indictment to imprisonment for a term not exceeding two years or a fine, or both.

(7) Where a licence is issued under subsection (2) above and, for the purpose of obtaining its issue, a person commits an offence under subsection (6) above, the licence shall be void.

(8) Where—

- (a) any live or dead animal or plant, or
- (b) an item to which Schedule 3 to this Act for the time being applies,

is being imported or exported or has been imported or brought to any place for the purpose of being exported, a person commissioned by the Commissioners of Customs and Excise or a person authorised by them may require any person possessing or having control of the animal, plant or item to furnish proof that its importation or exportation is or was not unlawful by virtue of this section; and if such proof is not furnished to the satisfaction of the said Commissioners the animal, plant or item shall be liable to forfeiture under the Customs and Excise Act 1952 c. 44. 1952.

2.—(1) The Secretary of State may—

Scientific authorities.

- (a) establish any body or bodies, consisting in each case of such members as he may from time to time appoint;
- (b) assign to any other body or bodies the duty referred to in subsection (4) below.
- (2) Without prejudice to his power under subsection (1) above, the Secretary of State shall, as soon as practicable after this subsection comes into operation.—
 - (a) establish at least one body under paragraph (a) of subsection (1) above, or
 - (b) assign to at least one body, under paragraph (b) of that subsection, the duty referred to in subsection (4) below.
- (3) A reference in this Act to a scientific authority is a reference to a body which is established under subsection (1) above or to which the duty there referred to is assigned under that subsection.
- (4) It shall be the duty of a scientific authority to advise the Secretary of State on any question which he may refer to it, and on any question on which it considers it should offer its advice,—
 - (a) in connection with the administration of this Act:
 - (b) generally in connection with the importation and exportation of animals and plants of kinds which appear to him or, as the case may be, the authority to be, or to be likely to become, endangered as a result of international trade, and items derived wholly or partly from animals and plants of those kinds.

- (5) In so far as it does not have power to do so apart from this subsection, any scientific authority may publish reports relating to the performance by it of its duty under subsection (4) above.
- (6) Before appointing a person to be a member of a scientific authority established under subsection (1)(a) above, the Secretary of State shall consult such persons or bodies, or persons and bodies, as he thinks fit.
- (7) The Secretary of State may, to such extent as may be approved by the Treasury, defray or contribute towards the expenses of any scientific authority established under subsection (1)(a) above; and any sums required by the Secretary of State for that purpose shall be paid out of money provided by Parliament.

Power to modify Schedules.

- 3. The Secretary of State may, after consulting any scientific authority or authorities, by order make such modifications in any of the Schedules to this Act as he considers necessary or desirable for any of the following purposes, namely—
 - (a) to give effect to any amendment to the Convention made in pursuance of its provisions;
 - (b) to give effect to the inclusion of anything in or the withdrawal of anything from Appendix III to the Convention (kinds of animals and plants the trade in which a party identifies as needing international control) at the instance of any party to the Convention;
 - (c) to promote the conservation of animals or plants of any kind which appears to the Secretary of State to be, or to be likely to become, endangered as a result of international trade;
 - (d) to remove any restriction which is for the time being imposed by virtue of this Act on the importation and exportation of animals or plants of any particular kind or of any particular items and which does not in the opinion of the Secretary of State promote such conservation as is referred to in paragraph (c) above;
 - (e) to facilitate the more effective or more convenient administration of any restriction which is for the time being imposed by virtue of this Act on the importation and exportation of animals or plants of any particular kind or of any particular items.

4.—(1) Subject to subsection (2) below, a person who sells, offers or exposes for sale, has in his possession for the purpose of sale, or displays to the public,—

(a) anything which has been imported contrary to section 1 above, or

Offence to sell etc. things imported contrary to section 1 or their derivatives. (b) anything which is made wholly or partly from anything referred to in paragraph (a) above and which at the time of the alleged offence (though not necessarily at the time of importation) constitutes an item to which Schedule 3 to this Act for the time being applies,

shall be guilty of an offence; and in the following provisions of this section a "restricted article" means anything falling within paragraph (a) or (b) above.

- (2) A person shall not be guilty of an offence under subsection (1) above with respect to a restricted article if he proves to the satisfaction of the court—
 - (a) that at the time when it first came into his possession he made such enquiries (if any) as in the circumstances were reasonable in order to ascertain whether it was a restricted article, and
 - (b) that, at the time the alleged offence was committed, he had no reason to believe that it was a restricted article.
- (3) Without prejudice to the generality of subsection (2)(a) above, a person shall be taken to have made such enquiries as are there mentioned if he produces to the court a certificate which was furnished by the person from whom the accused obtained possession of the restricted article (the supplier), which was signed by the supplier or by a person authorised by him, and which states that—
 - (a) the supplier made enquiries at the time the restricted article came into his possession in order to ascertain whether it was a restricted article, and
 - (b) the supplier had no reason to believe at the time he relinquished possession of the restricted article to the accused that the article was at that time a restricted article.
- (4) A person who furnishes for the purposes of subsection (3) above a certificate which he knows to be false in a material particular, or recklessly furnishes for those purposes a certificate which is false in a material particular, shall be guilty of an offence.
- (5) A person guilty of an offence under subsection (1) or (4) above shall be liable—
 - (a) on summary conviction, to a fine not exceeding £400;
 - (b) on conviction on indictment, to imprisonment for a term not exceeding two years or a fine, or both.
- (6) In this section any reference to sale includes references to barter and exchange.

(7) For the purposes of this section a restricted article is displayed to the public if it is displayed to the public generally or any section of it, and (in either case) whether in return for money or otherwise.

1952 c.44.

(8) For the purposes of any proceedings under section 45 or 304 of the Customs and Excise Act 1952 (penalties for improper importation and evasion of restriction on importation) for an offence in connection with the importation of anything contrary to section 1 above, this section shall not be taken expressly to provide a penalty for that offence.

Power to restrict places at which live animals may be imported.

- 5.—(1) If it appears to the Secretary of State desirable to do so for the purpose of assisting the discovery of any importation contrary to section 1 above of any live animal of any of the kinds to which Schedule 1 to this Act for the time being applies, he may make an order under this section relating to any kind of animal.
- (2) An order under this section may provide that (subject to such exceptions as may be specified in the order) it is prohibited to do such one or more of the following things as is (or are) specified in the order, that is to say—
 - (a) to import by sea any live animal of any kind to which the order is expressed to relate;
 - (b) to import any such animal by sea unless it is imported at a port or one of the ports specified in the order in relation to animals of that kind;
 - (c) to import any such animal by air;
 - (d) to import any such animal by air unless it is unloaded at an airport or one of the airports specified in the order in relation to animals of that kind;
 - (e) to import any such animal by land;
 - (f) to import any such animal by land unless it is brought across the boundary into Northern Ireland at a place or one of the places specified in the order in relation to animals of that kind.
- (3) Any prohibition or restriction in any order under this section shall not apply to an animal which the Secretary of State authorises to be imported otherwise than in accordance with the order and which is imported in accordance with that authorisation.
 - (4) In subsection (2) above—
 - "airport" means an aerodrome for the time being designated as a customs airport under section 15(5) of the Customs and Excise Act 1952;

- "port" means any area for the time being appointed and named under section 13(1) of that Act as a port for the purposes of customs and excise.
- 6.—(1) Where a licence under section 1(2) above has been Restriction of issued or applied for in respect of the importation of a live movement of animal of any of the kinds to which Schedule 1 to this Act for certain live animals after the time being applies and, after consulting one or more of the importation. scientific authorities, the Secretary of State considers that it is desirable to do so, he may give a direction under this section in relation to the animal.

- (2) Where a direction has been given under this section in relation to an animal, and has not been revoked by the Secretary of State, the animal shall, immediately after the relevant event, be taken to and subsequently kept at the specified premises until such time as the Secretary of State may require or permit the animal to be moved to other specified premises or revoke the direction.
- (3) Where a direction has been given under this section in relation to an animal, and has not been revoked by the Secretary of State, any person who knows or ought to know that a direction has been so given and who—
 - (a) knowingly takes the animal, or knowingly permits it to be taken, at any time after the relevant event to premises which he knows or ought to know are not at the time of the taking the specified premises; or
 - (b) knowingly moves the animal, or knowingly permits it to be moved, at any time after the relevant event, the circumstances of the removal being that—
 - (i) it is made from premises which he knows or ought to know are at the time of the removal the specified premises, and
 - (ii) he knows or ought to know that the removal is made in the absence of, or otherwise than in accordance with any condition attached to, such a requirement or permission as is referred to in subsection (2) above : or
 - (c) knowingly keeps the animal at any time after the relevant event at premises which are occupied by him and which he knows or ought to know are not at the time of the keeping the specified premises,

shall be liable on summary conviction to a fine not exceeding £400.

(4) In this section "relevant event" means, in relation to an animal, whichever of the following occurs later:—

- (a) the completion by the animal of any period of detention (whether in quarantine or otherwise) in accordance with any provision made by or under any enactment, being detention connected with the importation in respect of which the direction concerned was given;
- (b) the departure of the animal from any premises connected with the importation in respect of which the direction concerned was given.
- (5) In this section "specified premises" means, in relation to an animal, such premises as are for the time being (and in whatever manner) specified in relation to that animal by the Secretary of State for the purposes of this section.
- (6) Proceedings for an offence under subsection (3) above may be brought within a period of six months from the date on which evidence sufficient in the opinion of the prosecutor to warrant the proceedings came to his knowledge; but no such proceedings shall be brought by virtue of this section more than three years after the commission of the offence.
 - (7) For the purposes of subsection (6) above—
 - (a) a certificate signed by or on behalf of the prosecutor and stating the date on which such evidence as aforesaid came to his knowledge shall be conclusive evidence of that fact; and
 - (b) a certificate stating that matter and purporting to be so signed shall be deemed to be so signed unless the contrary is proved.
 - (8) In the application of this Act to Scotland—
 - (a) subsections (6) and (7) above shall not apply;
 - (b) proceedings for an offence under subsection (3) above may be commenced at any time within six months after the date on which evidence sufficient in the opinion of the Lord Advocate to justify a prosecution comes to his knowledge, or where such evidence is reported to him by the Secretary of State within six months after the date on which it came to the knowledge of the Secretary of State; but no such proceedings shall be commenced by virtue of this section more than three years after the commission of the offence:
 - (c) for the purposes of paragraph (b) above—
 - (i) a certificate purporting to be signed by or on behalf of the Lord Advocate or the Secretary of State, as the case may be, stating the date on which such evidence as aforesaid came to their knowledge shall be conclusive evidence of that fact; and

- (ii) subsection (3) of section 331 of the Criminal 1975 c. 21. Procedure (Scotland) Act 1975 shall have effect as it has effect for the purposes of that section.
- 7.—(1) Before he specifies any premises for the purposes of Provisions section 6 above or revokes a direction given under that section, supplethe Secretary of State shall consult one or more of the scientific mentary to section 6. authorities.

- (2) The Secretary of State shall not specify any premises for those purposes unless they are such that in his opinion the animal in relation to which he proposes to give, or has given, a direction under section 6 above may suitably be kept there.
- (3) Any person duly authorised in writing by the Secretary of State may, at any reasonable time and (if required to do so) upon producing evidence that he is so authorised, enter any premises which are for the time being specified in relation to any animal for the purposes of section 6 above for one or both of the following purposes:—
 - (a) in order to enable the Secretary of State to decide whether the premises remain such that in his opinion the animal may suitably be kept there;
 - (b) in order to ascertain whether the animal is being kept on the premises.
- (4) Any person who wilfully obstructs a person acting under subsection (3) above shall be liable on summary conviction to a fine not exceeding £400.
- 8. Where an offence under this Act which has been committed Offences by by a body corporate is proved to have been committed with the corporations. consent or connivance of, or to be attributable to any neglect on the part of, a director, manager, secretary or other similar officer of the body corporate, or any person who was purporting to act in any such capacity, he, as well as the body corporate, shall be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

In this section "director", in relation to a body corporate established by or under any enactment for the purpose of carrying on under public ownership any industry or part of an industry or undertaking, being a body corporate whose affairs are managed by its members, means a member of that body corporate.

9.—(1) Her Majesty may by Order in Council direct that all Extension or any of the provisions of this Act shall extend, subject to such to British exceptions, adaptations and modifications, if any, as may be possessions specified in the Order, to any of the following countries specified in the Order, to any of the following countries. namely—

- (a) any colony other than one for whose external relations a country other than the United Kingdom is responsible;
- (b) any country outside Her Majesty's dominions in which Her Majesty has jurisdiction in right of Her Majesty's Government in the United Kingdom.

1889 c. 63.

- (2) Without prejudice to section 37 of the Interpretation Act 1889 (which relates to the exercise of statutory powers between the passing and the commencement of an Act conferring them) an Order under subsection (1) above may be made so as to come into operation at any time before this Act comes into operation in the United Kingdom.
- (3) An Order under this section may be varied or revoked by a subsequent Order thereunder.

Financial provisions.

- 10.—(1) There shall be paid out of money provided by Parliament—
 - (a) the expenses of any government department in respect of the administration of this Act;
 - (b) any increase attributable to this Act in the sums so payable under any other Act.
- (2) Any sums received by the Secretary of State under this Act shall be paid into the Consolidated Fund.

Orders.

- 11.—(1) An order under any of the relevant provisions may be varied or revoked by a subsequent order under the provision concerned.
- (2) The power conferred by each of the relevant provisions to make an order shall be exercisable by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament.
- (3) In this section "the relevant provisions" means sections 1(5), 3 and 5 above.

Interpretation.

- 12.—(1) For the purposes of this Act an individual of the family Hominidae (man) is not an animal.
- (2) In this Act a reference to a dead animal of any particular kind includes a reference to the body of an animal of that kind—
 - (a) which is frozen, dried or preserved by chemicals, or
 - (b) which, although not complete (whether because it has been eviscerated or because it has had the whole of its inside removed and has been stuffed, or for any other reason), is substantially complete and externally substantially resembles the complete body of an animal of the kind concerned.

- (3) In this Act a reference to a dead plant of any particular kind includes a reference to a plant of that kind—
 - (a) which is frozen, dried or preserved by chemicals, or
 - (b) which, although for any reason not complete, is substantially complete and externally substantially resembles a complete dead plant of the kind concerned.
- (4) In this Act "enactment" includes an enactment of the Parliament of Northern Ireland or of the Northern Ireland Assembly and an Order in Council having the same effect as such an enactment.
- (5) Except in so far as the context otherwise requires, a reference in this Act to any other enactment is a reference to that enactment as amended, and includes a reference to it as extended or applied, by or under any other enactment, including this Act.
- 13.—(1) This Act may be cited as the Endangered Species Citation, commence-(Import and Export) Act 1976. ment, repeals.
- (2) In the application of this Act to Northern Ireland, for extent, etc. the references to the Secretary of State in sections 1(2), (3) and (4), 2(4), 5(3), 6 and 7 and for the first reference to him in section 1(5) there shall be substituted references to the Department of Agriculture for Northern Ireland.
- (3) Subject to subsection (4) below, this Act shall come into operation on such day as the Secretary of State may appoint by order made by statutory instrument; and different days may be appointed in pursuance of this subsection for different provisions of this Act and for such different purposes of the same provision as may be specified in the order.
- (4) Any provision of this Act not previously brought into operation, or not previously brought into operation for a particular purpose, shall come into operation or, as the case may be, shall come into operation for that purpose on the expiry of the period of 6 months beginning with the day on which this Act is passed.
- (5) The Importation of Plumage (Prohibition) Act 1921 and 1921 c. 16. the Animals (Restriction of Importation) Act 1964 are hereby 1964 c. 61. repealed.
- (6) In section 7 of the Protection of Birds Act 1954 (restric- 1954 c. 30. tions on importation of certain wild birds and eggs) subsection (1) and paragraph (a) of subsection (2) are hereby repealed; and accordingly in paragraph (b) of subsection (2) for "such a licence as aforesaid" there shall be substituted "a licence granted under section ten of this Act" and the word "other" (wherever it occurs) is hereby repealed.
 - (7) This Act extends to Northern Ireland.

SCHEDULES

Sections 1, 3, 5 and 6.

SCHEDULE 1

Animals the Importation and Exportation OF WHICH ARE RESTRICTED

This Schedule applies to the following kinds of animal, namely:—

PART I

MAMMALS

1. All kinds of mammal except the kinds specified in the first column below---

Excepted kind

Common name or names

Marsupials

Macropus giganteus Macropus fuliginosus Eastern grey kangaroo Western grey kangaroo

Insectivores

Talpa europaea

Common European mole

Primates

Macaca rhesus Macaca nemestrina

Rhesus monkey Pig-tailed monkey

Rabbits and hares

Lepus capensis

Oryctolagus cuniculus

Brown hare

European rabbit (otherwise known as domestic rabbit)

Rodents

Sciurus carolinensis Sciurus vulgaris Castor canadensis Rattus norvegicus

Rattus rattus

Mus musculus

Meriones unguiculatus

Any domestic form of

Mesocricetus auratus

Any domestic form of Ondatra zibethicus

Cavia porcellus

Any domestic form of Chinchilla laniger

Myocastor coypus

Grey squirrel

Eurasian red squirrel

Canadian beaver

Common rat (otherwise known

as laboratory rat)

Ship rat (otherwise known as black

rat)

House mouse (otherwise known

as laboratory mouse)

Clawed jird (otherwise known as

Mongolian gerbil) Domestic golden hamster

Domestic muskrat (otherwise known as musquash)

Domestic guinea pig Domestic chinchilla

Domestic coypu (otherwise known as nutria)

Excepted kind Common name or names Sch. 1

Carnivores

Canis, familiaris Domestic dog

Vulpes vulpes Common fox and silver fox

Alopex lagopus Arctic fox

Procyon lotor North American raccoon Procyon cancrivorus Crab-eating raccoon Mustela vison North American mink

Mustela furo Domestic ferret

Martes zibellina Sable

Felis catus Domestic cat

Seals

Callorhinus ursinus Northern fur seal

Odd-toed ungulates

Domestic horse Equus caballus Domestic donkey Equus asinus Equus caballus x asinus Mule and hinny

Even-toed ungulates

Any domestic form of Sus scrofa Domestic pig Lama glama Domestic llama Lama pacos Domestic alpaca

Any domestic form of Camelus Domestic bactrian camel

bactrianus

Camelus dromedarius Arabian camel Dama dama European fallow deer Domestic reindeer Any domestic form of Rangifer

tarandus

Any domestic form of Bubalus Domestic water buffalo

bubalis

Bos taurus Domestic ox Bos indicus Domestic zebu Domestic gayal Bos frontalis Any domestic form of Bos Domestic yak

grunniens

Any domestic form of Capra Domestic goat

hircus

Ovis aries Domestic sheep

BIRDS

2. All kinds of bird except the kinds specified in the first column

Waterfowl

Any domestic form of Anser anser Domestic goose Any domestic form of Anser Chinese goose

cygnoides

Any domestic form of Cairina Muscovy duck

moschata

Any domestic form of Anas Domestic duck

platyrhynchos

Sch. 1

Excepted kind

Common name or names

Gamebirds

Perdix perdix Alectoris Lophortyx californica

Colinus virginianus

Coturnix

Excalfactoria chinensis

Bambusicola thoracica Gallus gallus Rollulus roulroul Phasianus colchicus

Phasianus versicolor Lophura nycthemera Syrmaticus reevesi Chrysolophus

Pavo cristatus

Numida Guttera Acryllium

Any domestic form of Meleagris Turkey gallopavo

Partridges California quail Bobwhite quail

Common partridge

Ouails

Painted quail (otherwise known as blue-breasted quail)

Bamboo partridge

Red junglefowl and domestic fowl

Roulroul partridge

Common pheasant (otherwise known as ring-necked pheasant)

Green pheasant Silver pheasant Reeve's pheasant

Golden pheasants and Lady Amherst's pheasants

Indian peacock (otherwise known as blue peacock)

-Spotted guineafowls

Cranes

Grus antigone Balearica pavonina

Sarus crane Crowned crane

Button quails

Turnix

Button quails

Rails

Laterallus leucopyrrhus

Red and white crake

Pigeons and doves

Columba livia Streptopelia orientalis Streptopelia bitorquata Streptopelia decaocto Streptopelia capicola

Streptopelia tranquebarica Streptopelia chinensis Turtur chalcospilos Chalcophaps indica Geopelia striata

Domestic pigeon Rufous turtle dove Javanese turtle dove Collared dove Ring-necked dove (otherwise known as Cape dove) Red turtle dove Spotted dove

Green-spotted wood dove

Green-winged dove

Barred dove

Excepted kind

Common name or names

SCH. 1

Pigeons and doves—contd.

Geopelia cuneata Ocyphaps lophotes Phaps chalcoptera Phaps elegans Zenaida auriculata Columbina Scardefella Diamond dove Crested bronzewing Common bronzewing Brush bronzewing Eared dove

Rainbow lorikeet

Small America ground doves

Lesser sulphur-crested cockatoo

Parrots

Trichoglossus haematodus Cacatua sulphurea Cacatua moluccensis Cacatua roseicapilla

Ara ararauna Ara chloroptera Nandayus nenday Myiopsitta monachus

Cyanoliseus patagonus Forpus **Brotogeris** Poicephalus rueppellii Agapornis cana Agapornis taranta Agapornis roseicollis Agapornis fischeri Agapornis personata Agapornis lilianae Agapornis nigrigenis Loriculus Psittacula eupatria Psittacula himalayana Psittacula cyanocephala Psittacula roseata Psittacula longicauda Psittacula alexandri Amazona aestiva Amazona ochrocephala Neophema elegans Neophema chrysostoma Neophema pulchella Neophema bourkii Psephotus haematonotus Platycercus eximius Platycercus elegans Nymphicus hollandicus

Lamprotornis Spreo superbus

Melopsittacus undulatus

Salmon-crested cockatoo Galah (otherwise known as roseate cockatoo) Blue and yellow macaw Red and green macaw Black-headed conure Monk parakeet (otherwise known as quaker parakeet) Patagonian conure Parrotlets 1 4 1 Small South America parakeets Ruppell's parrot Madagascan lovebird Black-winged lovebird Rosy-faced lovebird Fischer's lovebird Masked lovebird Nyasa lovebird Black-cheeked lovebird Hanging parrots Alexandrine parrot Slaty-headed parrot Plum-headed parrot Blossom-headed parrot Long-tailed parrot Moustached parrot Blue-fronted Amazon Yellow-headed Amazon Elegant parakeet Blue-winged parakeet Turquoisine parakeet

Starlings

African glossy starlings Superb starling

Bourke's parakeet

Crimson rosella

Cockatiel

Budgerigar

Red-rumped parakeet Northern rosella

SCH. 1

Excepted kind

Common name or names

Starlings—contd.

Sturnus malabaricus Sturnus pagodarum Sturnus roseus Sturnus contra Sturnus burmanicus Acridotheres Gracula religiosa

Malabar starling Pagoda starling Rose-coloured starling Pied starling Jerdon's starling Typical mynahs Hill mynah

Garrulus glandarius Garrulus lanceolatus Cyanocorax yncas Urocissa erythrorhyncha Cissa chinensis Dendrocitta vagabunda

Corvus

Corvids

Jav Lanceolated jay

Green jay Red-billed blue magpie Hunting cissa Rufous tree-pie Crows

Garrulax albogularis Garrulax leucolophus Garrulax monileger Garrulax pectoralis

Garrulax rufogularis Garrulax canorus Garrulax sannio Garrulax erythrocephalus Leiothrix argentauris Leiothrix lutea Minla cyanouroptera Heterophasia capistrata Yuhina

Babblers

White-throated laughing-thrush White-crested laughing-thrush Lesser necklaced laughing-thrush Greater necklaced laughing-thrush Rufous-chinned laughing-thrush Hwamei laughing-thrush White-browed laughing-thrush Red-headed laughing-thrush Silver-eared mesia Pekin robin Blue-winged siva Black-headed sibia Yuhinas

Pycnonotus

Typical bulbuls

Chloropsis aurifrons

Irena puella

Leafbirds

Bulbuls

Golden-fronted fruitsucker Fairy bluebird

Copsychus saularis

Copsychus malabaricus Zoothera citrina

Thrushes

Orange-headed ground thrush

Niltava sundara

Flycatchers

Rufous-bellied niltava

Asian magpie-robin

Prunella

Dunnocks

Dunnocks

Excepted kind

Common name or names

SCH. 1

White-eyes

Zosterops palpebrosa Zosterops senegalensis

Oriental white-eye Yellow white-eye

Troupials

Icterus icterus

Troupial

Finches

Serinus serinus

Any domestic form of Serinus

canaria

Serinus atrogularis Carduelis sinica Carduelis spinoides Spinus magellanicus Carpodacus erythrinus

Coccothraustes personatus Coccothraustes migratorius Common serin

Canary

Yellow-rumped seed-eater Chinese greenfinch Himalayan greenfinch Black-headed siskin

Common rosefinch (otherwise known as scarlet grosbeak)

Japanese grosbeak Yellow-billed grosbeak

Waxbills

Lagonosticta Estrilda Uraeginthus

Hypargos niveoguttatus Amandava

Ortygospiza atricollis Erythrura prasina Lonchura malabarica Lonchura cantans Lonchura griseicapilla Lonchura cucullata Lonchura bicolor Lonchura fringilloides

Lonchura striata

Lonchura punctulata Lonchura malacca Lonchura maja Lonchura castaneothorax

Aidemosvna modesta

Amadina erythrocephala Amadina fasciata Padda oryzivora Emblema guttata

Neochmia ruficauda Poephila guttata Poephila bichenovii Poephila personata

Firefinches Typical waxbills

Blue waxbills and violet-ears

Peter's twinspot Avadavats Quail finch

Pintailed parrotfinch Indian silverbill African silverbill Pearl-headed silverbill Bronze-winged mannikin

Pied mannikin Magpie mannikin

Striated munia and Bengalese

finch

Spotted munia Black-headed munia White-headed munia Chestnut-breasted finch

Cherry finch (otherwise known as plum-capped finch)

Red-headed finch Cutthroat

Java sparrow

Spotted-sided finch (otherwise known as diamond finch)

Star finch Zebra finch

Double-barred finch

Masked finch

Sch. 1

Excepted kind

Common name or names

Waxbills-contd.

Poephila acuticauda Poephila cincta

Chloebia gouldiae

Long-tailed finch Black-throated finch (otherwise known as parson's finch) Gouldian finch

Golden sparrow Yellow-throated sparrow Scaly-crowned weaver Baya weaver Lesser masked weaver Greater masked weaver Vitelline masked weaver Cardinal quelea Bob-tailed wydah Fire-fronted bishop Black bishop Black-winged bishop Golden-backed bishop Yellow-rumped bishop Fan-tailed wydah Marsh bishop White-winged bishop Long-tailed bishop Jackson's bishop Paradise wydah

Weavers

Passer luteus Petronia xanthocollis Sporopipes squamifrons Ploceus philippinus Ploceus intermedius Ploceus velatus Ploceus vitellinus Quelea cardinalis Euplectes anomalus Euplectes diadematus Euplectes gierowii Euplectes nigroventris Euplectes aureus Euplectes capensis Euplectes axillaris Euplectes hartlaubi Euplectes albonotatus Euplectes progne Euplectes jacksoni Vidua paradisaea

Emberiza leucocephala Emberiza cia Emberiza hortulana Emberiza tahapisi Emberiza elegans Emberiza aureola Emberiza flaviventris Emberiza melanocephala Emberiza bruniceps Melophus lathami Sicalis flaveola Tiaris Paroaria

Cardinalis Cyanerpes

Buntings

Pine bunting Rock bunting Ortolan bunting Cinnamon-breasted bunting Yellow-throated bunting Yellow-breasted bunting African golden-breasted bunting Black-headed bunting Red-headed bunting Crested bunting Saffron finch Grassquits Cardinals

REPTILES

3. All kinds of reptile except the kinds specified in the first column below---

Hemidactylus brookii Hemidactylus flaviviridis Hemidactylus frenatus

Geckos

Brook's gecko

Honeycreepers

Bridled house gecko

Excepted kind

Common name or names

SCH. 1

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Geckos-contd.

Hemidactylus mabouia Hemidactylus turcicus Lygodactylus picturatus Pachydactylus bibronii Tarentola mauritanica Thecadactylus rapicauda Moreau's gecko Turkish gecko

Bibron's clawless gecko Moorish gecko Turnip-tailed gecko (otherwise known as top-tailed gecko)

Agamids

Margouillat lizard (otherwise known as rainbow lizard)
Black-necked agama
Londok agama
Harlequin lizard (otherwise known as bloodsucker lizard)
Bell's agama

Agama agama

Agama atricollis Calotes cristatellus Calotes versicolor

Leiolepis belliana Physignathus concinnus

Iguanids

Carolina anole (otherwise known as green anole) Taraguira lizard (otherwise known as Wied's ring-necked lizard)

Anolis carolinensis

Tropidurus torquatus

Teiids

Surinam lizard

Ameiva ameiva

Acanthodactylus boskianus Acanthodactylus pardalis Lacerta vivipara

Podarcis muralis Podarcis sicula

Lacertids

Daudin's fringe-toed lizard Leopard fringe-toed lizard Common lizard (otherwise known as viviparous lizard) Common wall lizard Italian wall lizard

Cordylus cordylus Gerrhosaurus flavigularis

Gerrhosaurus flavigularis Gerrhosaurus major Gerrhosaurus nigrigularis Platysaurus guttatus

Chalcides ocellatus

Mabuya mabouya

Mabuya multifasciata

Cordylids

Rough-scaled girdled lizard Yellow-throated plated lizard

Black-throated plated lizard

Skinks

Ocellated skink
Raddi's skink
Many-banded skink
Common two-striped skink
Savanna variable skink

2

Anguis fragilis

Mabuya striata

Mabuya varia

Slow worm

Anguids

Excepted kind SCH. 1

Common name or names

Typical snakes

Boaedon fulginosus Coluber constrictor Coluber viridiflavus Drymarchon corais Elaphe guttata Elaphe obsoleta Lampropeltis getulus Malpolon monspessulana

Natrix maura Natrix natrix Natrix rhombifera Natrix sipedon Natrix tessellata

Oxybelis aeneus Oxybelis fulgidus

Philothammus semivariegatus Spalerosophis diadema Thamnophis sauritus

Thamnophis sirtalis

Common African house-snake

American racer European whip-snake

Indigo snake Corn snake

American rat snake Common king snake Montpellier snake Viperine snake European grass snake

Rhomb snake

North American water snake Tessellated snake (otherwise known as diced snake) American vine snake

Clifford's snake Ribbon snake

Common garter snake

Terrapins

Chrysemys picta Chrysemys scripta elegans

(otherwise known as Pseudemys scripta elegans) Mauremys caspica leprosa

(otherwise known as Clemmys caspica leprosa) Painted terrapin Red-eared terrapin

Spanish terrapin

Snapping turtles

Chelydra serpentina

Common snapping turtle

AMPHIBIANS

4. All kinds of amphibian except the kinds specified in the first column below-Mole salamanders

Ambystoma maculatum Ambystoma tigrinum

American spotted salamander

Tiger salamander

Newts

Salamandra salamandra Triturus cristatus

Triturus helveticus Triturus vulgaris

European spotted salamander Crested newt (otherwise known

as warty newt) Palmate newt

Common newt (otherwise known as smooth newt)

Tongue-less frogs

Xenopus laevis

African clawed toad

Excepted kind

Common name or names

SCH. 1

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Fire bellies and midwives

Bombina variegata Discoglossus pictus Yellow-bellied toad

Painted frog

True toads

Atelopus ignescens

European common toad Bufo bufo

Bufo marinus Giant toad

Bufo melanostictus Asian common toad Bufo regularis African square-marked toad

Bufo viridis Green toad

Narrow-mouthed frogs

Kaloula pulchra

Malayan bullfrog

True frogs

Pyxicephalus delalandei

Delaland's burrowing frog

(otherwise known as Rana

delalandei)

Rana angolensis Rana cancrivora Rana catesbeiana Angola frog Mangrove frog American bullfrog

Rana chalconota Rana esculenta

Rana ridibunda Rana temporaria Edible frog Marsh frog

Common European frog

Rhacophorine tree frogs

Polypedetes leucomystax

Malayan tree frog

(otherwise known as Rhacophorus leucomystax)

Sedge frogs

Hyperolius concolor Hyperolius nasutus Hyperolius picturatus Hyperolius pusillus

Hallowell's tree frog

Arrow-poison frogs

Dendrobates auratus Dendrobates histrionicus

Paradoxical frogs

Pseudis paradoxa

Paradoxical frog

Hylid tree frogs

Hyla boans Giant tree frog

Hyla cinerea American green tree frog

Hyla crepitans

Hyla crucifer Spring peeper frog

Hyla meridonalis Stripeless European tree frog

Hyla nasica

Hyla rubra Daudin's tree frog Hyla versicolor

Phrynohyas venulosa Warty tree frog Similisca baudini Mexican tree frog

SCH. 1

PART II

FISH

5. The kinds of fish specified in the first column below—

Restricted kind

Common name or names

Sturgeons

Acipenser brevirostrum Acipenser fulvescens Acipenser oxyrhynchus Acipenser sturio Shortnose sturgeon Lake sturgeon Atlantic sturgeon Common sturgeon

Bonytongues

Arapaima gigas Scleropages formosus Arapaima Asiatic bonytongue

Salmon

Coregonus alpenae Salmo chrysogaster Stenodus leucichthys leucichthys Longjaw cisco Mexican golden trout Inconnu

Carp and suckers

Chasmistes cujus Plagopterus argentissimus Probarbus jullieni Ptychocheilus lucius Cui-ui Woundfin Ikan temoleh Colorado squawfish

Toothcarp

Cynolebias constanciae Cynolebias marmoratus Cynolebias minimus Cynolebias opalescens Cynolebias splendens Xiphophorus couchianus

Annual killifish

Coelacanths

Latimeria chalumnae

Coelacanth

Australian lungfish

Neoceratodus forsteri

Australian lungfish

Monterrey platyfish

Catfish

Pangasianodon gigas

Giant catfish

Perch

Stizostedion vitreum glaucum

Blue walleye

INSECTS

SCH. 1

6. The kind of insect specified in the first column below-

Restricted kind

Common name

Butterflies

Parnassius apollo apollo

Apollo butterfly

MOLLUSCS

7. The kinds of mollusc specified below-

Restricted kind

Freshwater mussels

Conradilla caelata

Cyprogenia aberti

Dromus dromas

Epioblasma florentina curtisi (otherwise known as Dysnomia florentina curtisi)

Epioblasma florentina florentina (otherwise known as Dysnomia florentina florentina)

Epioblasma sampsoni (otherwise known as Dysnomia sampsoni)

Epioblasma sulcata perobliqua (otherwise known as Dysnomia sulcata perobliqua)

Epioblasma torulosa gubernaculum (otherwise known as Dysnomia torulosa gubernaculum)

Epioblasma torulosa rangiana (otherwise known as Dysnomia torulosa rangiana)

Epioblasma torulosa (otherwise known as Dysnomia torulosa torulosa)

Epioblasma turgidula (otherwise known as Dysnomia turgidula)

Epioblasma walkeri (otherwise known as Dysnomia walkeri)

Fusconaia cuneolus

Fusconaia edgariana

Fusconaia subrotunda

Lampsilis brevicula

Lampsilis higginsi

Lampsilis orbiculata orbiculata

Lampsilis satura

Lampsilis virescens

Lexingtonia dolabelloides

Plethobasis cicatricosus

Plethobasis cooperianus

Pleurobema clava

Pleurobema plenum

Potamilus capax (otherwise known as Proptera capax)

Ouadrula intermedia

Quadrula sparsa

Toxolasma cylindrella (otherwise known as Carunculina cylindrella)

Unio nickliniana (otherwise known as Megalonaias nickliniana)

Unio tampicoenis tecomatensis (otherwise known as Lampsilis tampicoenis tecomatensis)

Villosa trabalis (otherwise known as Micromya trabalis)

SCH. 1

Restricted kind

Land snails

Papustyla pulcherrima (otherwise known as Papuina pulcherrima) Paraphanta

Freshwater snails

Coahuilix hubbsi
Cochliopina milleri
Durangonella coahuilae
Mexipyrgus carranzae
Mexipyrgus churinceanus
Mexipyrgus escobedae
Mexipyrgus lugoi
Mexipyrgus mojarralis
Mexipyrgus multilineatus
Mexithauma quadripaludium
Nymphophilus minckleyi
Paludiscala caramba

Dioscoreaceae

Euphorbiaceae

Note: The second column of this Schedule gives a common name or names, where available, and is included by way of guidance only; in the event of any dispute or proceedings, only the first column is to be taken into account.

Sections 1 and 133.

SCHEDULE 2

PLANTS THE IMPORTATION AND EXPORTATION OF WHICH ARE RESTRICTED

This Schedule applies to the kinds of plant specified in the second column below—

Family	Kind
Apocynaceae	Pachypodium .
Araceae	Alocasia sanderana Alocasia zebrina
Araliaceae	Panax quinquefolius
Araucariaceae	Araucaria araucana
Cactaceae	Cactaceae
Caryocaraceae	Caryocar costaricense
Caryophyllaceae	Gymnocarpos przewalskii
	Melandrium mongolicum Silene mongolica Stellaria pulvinata
Compositae	Saussurea lappa
Cupressaceae	Fitzroya cupressoides Pilgerodendron uviferum
Cyatheaceae	Cyatheaceae
Cycadaceae	Cycadaceae
Dicksoniaceae	Dicksoniaceae

Any species of the genus Euphorbia which is a succulent

Dioscorea deltoidea

Family Kind Sch. 2

Fagaceae Quercus copeyensis
Gentianaceae Prepusa hookeriana
Gnetaceae Gnetum montanum
Humiriaceae Vantanea barbourii
Juglandaceae Engelhardtia pterocarpa
Leguminosae Ammopiptanthus mongolicus

Cynometra hemitomophylla Platymiscium pleiostachyum

Tachigalia versicolor Thermopsis mongolica

Liliaceae Aloe

MagnoliaceaeTalauma hodgsoniiMelastomataceaeLavoisiera itambanaMeliaceaeGuarea longipetiola
Swietenia humilis

Moraceae Batocarpus costaricensis

Orchidaceae Orchidaceae
Palmae Areca ipot

Phoenix hanceana var philippinensis

Zalacca clemensiana

Papaveraceae Meconopsis regia
Pinaceae Abies guatemalensis
Abies nebrodensis

Podocarpus costalis Podocarpus nerifolius Podocarpus parlatorei

Portulacaceae Anacampseros Primulaceae Cyclamen

Proteaceae Orothamnus zeyheri

Protea odorata

Ralmea stormae

Rubiaceae Balmea stormae Saxifragaceae (Grossularia- Ribes sardoum

ceae)

Podocarpaceae

Solanaceae Solanum sylvestre Stangeriaceae Stangeriaceae

Sterculiaceae Basiloxylon excelsum

Tetracentraceae Tetracentron
Ulmaceae Celtis aetnensis

Verbenaceae Caryopteris mongolica

Welwitschiaceae Welwitschiaceae Zamiaceae Zamiaceae

Zingiberaceae Hedychium philippinense

Zygophyllaceae Guaiacum sanctum.

Sections 1, 3 and 4.

SCHEDULE 3

ITEMS THE IMPORTATION AND EXPORTATION OF WHICH ARE RESTRICTED

This Schedule applies to the following items, namely:—

- 1. Whale meat and whale offals.
- 2. Whalebone, if unworked or simply prepared, and hair and waste of whalebone.
- 3. Whale fat and whale oil (other than sperm oil), whether or not refined or modified.
 - 4. Whalemeat extracts and whalemeat juices.
- 5. Any tusk (if unworked or simply prepared) of any of the following animals, namely—
 - (a) any animal of the family Elephantidae (elephants);
 - (b) any animal of the family Suidae (pigs);
 - (c) any animal of the species Monodon monoceros (narwhal);
- (d) any animal of the species Odobenus rosmarus (walrus); and any part of any such tusk and powder and waste of any tusk of any of the animals referred to in sub-paragraphs (a) to (d) of this paragraph.
- 6. The horn of any animal of the family Rhinocerotidae (rhinoceroses), if unworked or simply prepared, any part of any such horn and powder and waste of any horn of any such animal.
- 7. Any tooth of any animal, if unworked or simply prepared, any part of any such tooth and powder and waste of any tooth of any animal.
- 8. The stuffed head, or the skull together with the skin covering it, of any animal of any of the families Elephantidae (elephants) and Rhinocerotidae (rhinoceroses).
- 9.—(1) Any furskin of a defined animal, if raw, tanned or dressed.
- (2) Tanned or dressed furskins of a defined animal or defined animals which are assembled in plates, rectangles, crosses, trapeziums or otherwise.
- (3) Any piece or cutting (including the head, tail and any paw) of any furskin of a defined animal.
- (4) Any rug, coverlet, coat, jacket, cape or stole made wholly or partly of any furskin of a defined animal (except where the furskin is trimming only).
 - (5) In this paragraph a defined animal means—
 - (a) any animal of any of the following genera, namely—

Aonyx (clawless otters)
Genetta (genets)
Lutra (common otters)
Paradoxurus (palm civets)
Paraonyx (clawless otters)
Viverra (civets);

(b) any animal of any of the following species, namely—

Sch. 3

Acinonyx jubatus (cheetah)

Amblonyx cinerea (oriental small-clawed otter)

Arctogalidia trivirgata (small toothed palm civet)

Chrotogale owstoni (Owston's banded civet)

Crocuta crocuta (spotted hyaena)

Enhydra lutris (sea otter)

Felis bengalensis (leopard cat)

Felis colocolo (pampas cat)

Felis geoffroyi (Geoffroy's cat)

Felis guigna (kodkod)

Felis jacobita (mountain cat)

Felis marmorata (marbled cat)

Felis nigripes (African black footed cat)

Felis pardalis (ocelot)

Felis planiceps (flat headed cat)

Felis rubiginosa (rusty spotted cat)

Felis serval (serval)

Felis silvestris (European wild cat)

Felis tigrina (little spotted cat)

Felis viverrina (fishing cat)

Felis wiedii (margay cat)

Fossa fossa (Malagasy civet)

Hemigalus derbyanus (banded palm civet)

Hyaena brunnea (brown hyaena)

Lutrogale perspicillata (smooth-coated otter)

Mungos mungo (banded mongoose)

Panthera nebulosa (clouded leopard)

Panthera onca (jaguar)

Panthera pardus (leopard)

Panthera tigris (tiger)

Panthera uncia (snow leopard)

Poiana richardsoni (African linsang)

Pteronura brasiliensis (giant otter)

Ursus maritimus, otherwise known as Thalarctos maritimus (polar bear)

Vicugna vicugna (vicugna)

Viverricula indica (small Indian civet);

- (c) any animal of the sub-species Felis lynx pardina (Spanish lynx).
- 10. The skin and scales of any animal of the family Manidae (pangolins).
- 11. Hair, whether or not carded or combed, of any animal of the species Vicugna vicugna (vicugna).
- 12. Yarn made wholly or partly of hair of any animal of the species Vicugna vicugna (vicugna).

- Sch. 3

 13. Fabric made wholly or partly of hair of any animal of the species Vicugna vicugna (vicugna) and any coat or jacket made wholly or partly of any such fabric.
 - 14. Musk derived from any animal of the species Moschus moschiferus (musk deer).
 - 15. The whole or any part of any raw hide or skin, if fresh, salted, dried, pickled or limed and whether or not split, and the leather, of any animal of the class Reptilia (reptiles).
 - 16. The shell and scales, if unworked or simply prepared, the waste of the shell and scales, and the flippers, of any animal of the family Cheloniidae (sea turtles).
 - 17. The meat and cartilage, including callipee and callipash, of any animal of the family Cheloniidae (sea turtles).
 - 18. The whole shell of any animal of the species Papustyla pulcherrima, otherwise known as Papuina pulcherrima (green tree snail).
 - 19.—(1) Plumage, that is to say, any feather or feathers, or any skin or any other part with any feather or feathers on it, of any bird or birds, other than excepted plumage.
 - (2) In sub-paragraph (1) above, excepted plumage means—
 - (a) plumage which is that only of a bird of any of the following species, namely—

Chrysolophus pictus (golden pheasant)

Gallus gallus (red junglefowl and domestic fowl)

Phasianus colchicus (common pheasant, otherwise known as ring-necked pheasant)

Struthio camelus (ostrich)

Sturnus vulgaris (starling);

(b) plumage which is that only of a bird of any domestic form of any of the following species, namely—

Anas platyrhynchos (domestic duck)

Anser anser (domestic goose)

Anser cygnoides (Chinese goose)

Cairina moschata (Muscovy duck)

Columba livia (domestic pigeon)

Meleagris gallopavo (turkey)

Numida meleagris (Guineafowl):

- (c) plumage which consists only of the down feathers of any bird of the species Somateria mollissima (eider duck);
- (d) plumage which consists only of the train feathers of any bird of the species Pavo cristatus (Indian peacock);
- (e) plumage none of which falls outside paragraphs (a) to (d) above.
- 20. Anything made wholly or partly of plumage (within the meaning of paragraph 19 above and subject to the exception there stated).

21. Any egg, whether whole or blown, of any bird other than— Sch. 3

(a) a bird of any of the following species, namely—

Alectoris chukar (chukar)

Alectoris rufa (red-legged partridge)

Coturnix japonica (Japanese quail)

Gallus gallus (red junglefowl and domestic fowl)

Perdix perdix (common partridge);

(b) a bird of any domestic form of any of the following species, namely-

Anas platyrhynchos (domestic duck)

Anser anser (domestic goose)

Anser cygnoides (Chinese goose)

Cairina moschata (Muscovy duck)

Meleagris gallopavo (turkey)

Numida meleagris (Guineafowl).

22. The stem of any plant of any of the families Cyatheaceae and Dicksoniaceae (tree ferns).

Note: In this Schedule, any common name which appears in brackets after a scientific name is included by way of guidance only; in the event of any dispute or proceedings, only the scientific name concerned is to be taken into account.

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