

2007 No. 1437

ANIMALS

**The Dangerous Wild Animals Act 1976 (Modification) Order
2007**

<i>Made</i> - - - -	<i>8th May 2007</i>
<i>Laid before Parliament</i>	<i>14th May 2007</i>
<i>Coming into force</i> - -	<i>1st October 2007</i>

The Secretary of State in exercise of the powers conferred upon him by section 8(1) of the Dangerous Wild Animals Act 1976(a), being satisfied that the scope of that Act should be both extended so as to include animals of a kind not for the time being specified in the Schedule to that Act and diminished so as to exclude animals of a kind for the time being specified in that Schedule, makes the following Order:

Citation and commencement

1. This Order may be cited as the Dangerous Wild Animals Act 1976 (Modification) Order 2007 and shall come into force on 1st October 2007.

Modification

2. For the Schedule to the Dangerous Wild Animals Act 1976 substitute the Schedule set out in the Schedule to this Order.

Revocation

3. The Dangerous Wild Animals Act 1976 (Modification) Order 1984(b) is revoked.

8th May 2007

Barry Gardiner
Parliamentary Under Secretary of State
Department for Environment, Food and Rural Affairs

(a) 1976 c.38.
(b) S.I. 1984/1111.

SCHEDULE

Article 2

“SCHEDULE

Section 7

KINDS OF DANGEROUS WILD ANIMALS

NOTE: See section 7(5) of this Act for the effect of the second column of this Schedule

<i>Scientific name of kind</i>	<i>Common name or names</i>
MAMMALS	
Marsupials	
Family <i>Dasyuridae</i>: The species <i>Sarcophilus lanarius</i> .	The Tasmanian devil.
Family <i>Macropodidae</i>: The species <i>Macropus fuliginosus</i> , <i>Macropus giganteus</i> , <i>Macropus robustus</i> and <i>Macropus rufus</i> .	The western and eastern grey kangaroos, the wallaroo and the red kangaroo.
Primates	
Family <i>Cebidae</i>: All species except those of the genera <i>Aotus</i> , <i>Callicebus</i> and <i>Saimiri</i> .	New-world monkeys (including capuchin, howler, saki, uacari, spider & woolly monkeys). Night monkeys (also known as owl monkeys), titi monkeys and squirrel monkeys are excepted.
Family <i>Cercopithecidae</i>.	Old-world monkeys (including baboons, the drill, colobus monkeys, the gelada, guenons, langurs, leaf monkeys, macaques, the mandrill, mangabeys, the patas and proboscis monkeys and the talapoin).
Family <i>Hominidae</i>: All species except those of the genus <i>Homo</i>	Anthropoid apes; chimpanzees, bonobos, orang-utans and gorillas.
Family <i>Hylobatidae</i>.	Gibbons and Siamangs.
Family <i>Indriidae</i>: All species of the genera <i>Propithecus</i> and <i>Indri</i> (<i>Avahi laniger</i> is excepted).	Leaping lemurs (including the indri and sifakas). The woolly lemur is excepted.
Family <i>Lemuridae</i>: All species except those of the genus <i>Hapalemur</i> .	Large lemurs. Bamboo or gentle lemurs are excepted.
Edentates	
Family <i>Dasypodidae</i>: The species <i>Priodontes maximus</i> .	The giant armadillo.
Family <i>Myrmecophagidae</i>: The species <i>Myrmecophaga tridactyla</i> .	The giant anteater.
Carnivores	
Family <i>Canidae</i>:	Wild dogs, wolves, jackals, maned wolf, bush

Includes all species of the genera <i>Canis</i> , <i>Chrysocyon</i> , <i>Cuon</i> , <i>Lycaon</i> and <i>Speothos</i> except the species <i>Canis familiaris</i> but including <i>Canis familiaris dingo</i> .	dog, dhole. The domestic dog (but not the dingo) is excepted.
Family Felidae: All except the species <i>Felis silvestris</i> , <i>Otocolobus manul</i> , <i>Leopardus tigrina</i> , <i>Oncifelis geoffroyi</i> , <i>Oncifelis guigna</i> , <i>Catopuma badia</i> , <i>Felis margarita</i> , <i>Felis nigripes</i> , <i>Prionailurus rubiginosus</i> , <i>Felis silvestris catus</i> . A hybrid the ancestry of which is predominantly <i>Felis silvestris catus</i> and which does not have a kind of animal specified in this column as a parent is also excepted.	All cats including the bobcat, caracal, cheetah, jaguar, leopard, lion, lynx, ocelot, puma, serval, tiger. The wild cat, the pallas cat, the little spotted cat, the Geoffroy's cat, the kodkod, the bay cat, the sand cat, the black-footed cat, the rusty-spotted cat and domestic cat are excepted. A hybrid cat whose ancestry comprises predominantly the domestic cat is also excepted provided that neither parent of the hybrid is a species listed in the left hand column.
Family Hyaenidae: All except the species <i>Proteles cristatus</i> .	Hyænas. The aardwolf is excepted.
Family Mustelidae: All species of the genera <i>Amblonyx</i> , <i>Arctonyx</i> , <i>Aonyx</i> , <i>Enhydra</i> , <i>Lontra</i> , <i>Melogale</i> , <i>Mydaus</i> , <i>Pteronura</i> and <i>Taxidea</i> . The genus <i>Lutra</i> except the species <i>Lutra lutra</i> The species <i>Eira barbara</i> , <i>Gulo gulo</i> , <i>Martes pennanti</i> and <i>Mellivora capensis</i> .	Badgers (except the Eurasian badger), otters (the European otter is excepted) and the tayra, wolverine, fisher and ratel (otherwise known as the honey badger).
Family Ursidae: All species including the species <i>Ailuropoda melanoleuca</i> and <i>Ailurus fulgens</i> .	All bears including the giant panda and the red panda.
Family Viverridae: All of the genus <i>Civettictis</i> . All of the genus <i>Viverra</i> including the species <i>Cryptoprocta ferox</i> .	The African, large-spotted, Malay and Indian civets and the fossa.
Pinnipedes	
Family Odobenidae: All species.	The walrus.
Family Otariidae: All species.	Eared seals.
Family Phocidae: All except the species <i>Phoca vitulina</i> and <i>Halichoerus grypus</i> .	True or earless seals. The common seal (or harbour seal) and grey seal are excepted.
Elephants	
Family Elephantidae: All species.	Elephants.
Aardvark	
Family Orycteropodidae: The species <i>Orycteropus afer</i> .	The aardvark.
Odd-toed ungulates	
Family Equidae: All species except <i>Equus asinus</i> and <i>Equus caballus</i> .	Asses, horses and zebras. The donkey and domestic horse are excepted.
Family Rhinocerotidae: All species.	Rhinoceroses.
Family Tapiridae: All species.	Tapirs.

Even-toed ungulates	
Family Antilocapridae: The species <i>Antilocapra Americana</i> .	The pronghorn.
Family Bovidae: <i>All species</i> except any domestic form of the genera <i>Bos</i> , <i>Bubalus</i> , <i>Capra</i> and <i>Ovis</i> .	Antelopes, bison, buffalo, gazelles, goats and sheep. Domestic cattle, buffalo, goats and sheep are excepted.
Family Camelidae: All species of the genera <i>Camelus</i> .	Camels.
Family Cervidae: All species of the genera <i>Alces</i> and <i>Rangifer</i> , except any domestic form of the species <i>Rangifer tarandus</i> .	The moose or elk and the caribou or reindeer. The domestic reindeer is excepted.
Family Giraffidae: All species	The giraffe and the okapi.
Family Hippopotamidae: All species.	The hippopotamus and the pygmy hippopotamus.
Family Suidae: All species except any domestic form of the species <i>Sus scrofa</i> .	Old-world pigs (including the wild boar and the wart hog). The domestic pig is excepted.
Family Tayassuidae: All species.	New-world pigs (otherwise known as peccaries).
Hybrids	
Any hybrid of a kind of animal specified in the foregoing provisions of this column where one parent is, or both parents are, of a kind so specified.	Any mammalian hybrids with a parent (or parents) of a specified kind.
<u>BIRDS</u>	
Cassowaries	
Family Casuariidae: All species.	Cassowaries.
Ostrich	
Family Struthionidae: All species.	The ostrich.
<u>REPTILES</u>	
Crocodilians	
Family Alligatoridae: All species.	Alligators and caimans.
Family Crocodylidae: All species.	Crocodiles and the false gharial.
Family Gavialidae: All species.	The gharial (otherwise known as the gavial).
Lizards and snakes	
Family Atractaspididae: All species of the genera <i>Atractaspis</i> .	Burrowing asps, also known as mole or burrowing vipers and stiletto snakes.
Family Colubridae: All species of the genera <i>Malpolon</i> , <i>Thelotornis</i> . The species <i>Boiga irregularis</i> , <i>Dispholidus typus</i> , <i>Rhabdophis subminiatus</i> , <i>Rhabdophis tigrinus</i> ,	Certain rear-fanged venomous snakes, Montpellier snakes, African twig, vine, bird or tree snakes, the boomslang, the red-necked keelback, the yamakagashi (otherwise known as the Japanese tiger-snake), the Argentine black-

<i>Elapomorphus lemniscatus</i> , <i>Philodryas olfersii</i> , <i>Tachymenis peruviana</i> , <i>Xenodon severus</i> .	headed snake, the South American green racer, the Peruvian racer, the Amazon false viper.
Family Elapidae: All species. Family Hydrophiidae: All species.	Certain front-fanged venomous snakes including cobras, coral snakes, the desert black snake, kraits, mambas, sea snakes and all Australian poisonous snakes (including the death adders).
Family Helodermatidae: All species.	The gila monster and the (Mexican) beaded lizard.
Family Viperidae: All species.	Certain front-fanged venomous snakes (including adders, the barba amarilla, the bushmaster, the fer- de-lance, moccasins, rattlesnakes and vipers).
<u>INVERTEBRATES</u>	
Spiders	
Family Ctenidae: The genus <i>Phoneutria</i> .	Wandering spiders.
Family Hexathelidae: The genus <i>Atrax</i> .	The Sydney funnel-web spider and its close relatives.
Family Sicariidae: The genus <i>Loxosceles</i> .	Brown recluse spiders (otherwise known as violin spiders).
Family Theridiidae: The genus <i>Latrodectus</i> .	The widow spiders and close relatives.
Scorpions	
Family Buthidae: All species	Buthid scorpions.
Family Hemioscorpiidae: All species of the species <i>Hemioscorpius lepturus</i> .	Middle Eastern thin-tailed scorpion.”

EXPLANATORY NOTE

(This note is not part of the Order)

This Order substitutes the Schedule to the Dangerous Wild Animals Act 1976 (“the Act”), which specifies the kinds of animals to which the provisions of the Act apply. The changes effected by this order represent the outcome of a further review of the Schedule to the Act as last modified by S.I. 1984/1111.

This Order adds the following animals to the Schedule: the Argentine Black-headed snake, the Peruvian racer, the South American green racer, the Amazon false viper, the Middle eastern thin-tailed scorpion and the dingo.

The following animals are no longer listed in the Schedule and so the provisions of the Act no longer apply to them: certain smaller primates (woolly lemurs, tamarins, night (or owl) monkeys, titis and squirrel monkeys), sloths, the North American porcupine, the capybara, crested porcupines; cacomistles, racoons, coatis, olingoes, the little coatimundi, kinkajou, binturong, cat hybrids which are predominantly domestic cat, hyraxes, guanaco, vicuna, emus, sand snakes, mangrove snakes, and the Brazilian wolf spider.

A full regulatory impact assessment has not been produced for this instrument as no impact on the private or voluntary sectors is foreseen.

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