

BILL No. 20 of 2013

Wednesday 27th November, 2013

PARLIAMENT OFFICE
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Georgetown,
Guyana.

27th November, 2013.

The following Bill which will be introduced in the National Assembly is published for general information.

S.E. Isaacs,
Clerk of the National Assembly.



GUYANA

BILL NO. 20 OF 2013

WILDLIFE IMPORT AND EXPORT BILL 2013

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PART I
PRELIMINARY

Preamble

An Act to regulate international trade of Guyana's wildlife and to enable Guyana to fulfill its obligations under the Convention on International Trade in Endangered Species of Wild Fauna and Flora, Washington, 1973.)

Short Title 1. This Act may be cited as the Wildlife Import and Export Act 2013.

Commencement by Minister 2. This Act shall come into operation on such date as the Minister may by order appoint.

Interpretation. 3. (1) In this Act:

- (a) "animal" means any specimen, whether living or dead, of any species of animal specified in Schedules I, II, III and otherwise designated pursuant to Section 4(1)(d), and includes any egg, sperm, tissue culture or embryo of any such animal; and includes all vertebrates and invertebrates or any parts and derivatives thereof, but does not include any domesticated animal;
- (b) "animal reproductive material" means:
 - (i) an egg, sperm, or embryo of an animal; or
 - (ii) any other part, or product of an animal from which another animal can be produced;
- (c) "animal specimen" means:
 - (i) any animal;
 - (ii) any animal reproductive material;
 - (iii) any tissue including the flesh, skin, bone, blood, lymph, scales, feather, horns or shell of any animals; and
 - (iv) any readily recognizable part, of a species or any derivative thereof specified in Schedules I, II, III or designated pursuant to Section 4(1)(d);
- (d) "approved institution" means an institution declared by the Authority under Section 65 to be an approved institution in relation to a particular wildlife species or group of species;
- (e) "approved person" means a person declared by the Authority under Section 65 to be an approved person in relation to a particular wildlife species or group of species
- (f) "artificially propagated" refers to live plants grown from seeds, cuttings, divisions, callus tissues or other plant tissues, spores or other propagules in a controlled environment for the purposes of trade;

- (g) "authorised person" means any police officer, any officer of the Customs and Trade Administration of the Guyana Revenue Authority or any person authorized by the Authority to enforce this Act;
- (h) "authority" means the Wildlife Import and Export Authority;
- (i) "bred in captivity" means bred in a controlled environment of an offspring of any animal reproductive material, whether sexual or asexual for the purposes of trade;
- (j) "breeding stock" means the animals in the captive breeding operation that are used for reproduction;
- (k) "captive bred certificate" means a certificate issued in accordance with Section 16;
- (l) "certificate of introduction from the sea" means a certificate issued in accordance with Section 23;
- (m) "certificate of artificial propagation" means a certificate issued in accordance with Section 17;
- (n) "controlled environment" means:
 - (i) in relation to an animal or animal reproductive material, an environment which:
 - (a) is manipulated by human intervention for the purpose of producing a selected species or quality of animals or animal reproductive material;
 - (b) has boundaries designed to prevent animals, eggs or gametes of the species from entering or leaving the controlled environment;
 - (c) includes facilities such as artificial housing, waste removal, health care; protection from predators and artificial food supply;
 - (d) is managed in a manner to maintain the breeding stock indefinitely, save and except in the case of ranching;
 - (ii) in relation to plants, an environment which:
 - (a) is manipulated by human intervention for the purposes of producing selected species or hybrids of plants or plant reproductive material;
 - (b) includes tillage, fertilization, weed control, drainage, irrigation or nursery operations, including potting, bedding or protection from weather; or
 - (c) is managed in a manner designed to maintain the breeding stock indefinitely.
- (o) "Convention" means the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) signed at Washington, District of Columbia in the United States of America on the third day of March, 1973 and any amendments thereto as are adopted, from time to time, by the State of Guyana;
- (p) "cultivated" means a plant grown by horticultural methods in a human controlled environment for its produce;

- (q) "derivative" in relation to an animal, plant or other organism, means any part, tissue or extract, of an animal, plant or other organism, whether fresh, preserved or processed, and includes any chemical compound derived from such part, tissue or extract;
- (r) "domestic" means species in which the evolutionary process has been influenced by humans to meet their needs;
- (s) "exotic wildlife" means any species that is not native to Guyana;
- (t) "export" with its grammatical variations and cognate expressions means to take or cause to be taken out of Guyana;
- (u) "import" with its grammatical variations and cognate expressions means the bringing in, causing to be brought in or the introduction of a specimen into Guyana by land, air or water, otherwise than in transit or by transshipment;
- (v) "in transit" includes any occasion on which a specimen remains on board an aircraft, ship or other form of transport and is in the process of shipment to a named consignee;
- (w) "introduction from the sea" means the transportation into Guyana of a specimen which is taken from the marine environment not under the jurisdiction of any State;
- (x) "IATA Regulations" means the International Air Transport Association Live Animals Regulations;
- (y) "licence" means a licence issued pursuant to the provisions of this Act and includes a Commercial Exportation Licence, Commercial Importation and Licence for Holding Premises;
- (z) " "Management Authority" means the national administrative body designated in accordance with Article IX, paragraph 1a of CITES;
- (aa) "mark" means any indelible imprint, seal, non-reusable tag, microchip, ring or other recognised means of identifying a specimen, designed in such a manner as to render its imitation by unauthorised persons as difficult as possible;
- (bb) "Minister" means the Minister with responsibility for the administration and implementation of this Act;
- (cc) "officer" means any person duly appointed and duly authorised to implement this Act;
- (dd) "Official Gazette" means the Official Gazette of the Government of Guyana;
- (ee) "operation" means the facilities utilised for activities under Sections 16, 17 and 18;
- (ff) "permit" means the official document used to authorise import, export or re-export of any plant or animal specified in Schedules I, II, III or designated pursuant to Section 4(1)(d);
- (gg) "plant" means any member of the plant kingdom, whether alive or dead, in any stage of biological development, and any part or derivative of these, but for purposes of this Act does not include timber species managed under the *Forest Act*, save for those listed in Schedules I, II, III or designated pursuant to Section 4(1)(d) , nor

- does it include cultivated species;
- (hh) "plant reproductive material" means:
 - (i) a seed or spore of a plant;
 - (ii) a cutting from a plant; or
 - (iii) any other part or product of a plant from which another plant can be produced;
 - (ii) "plant specimen" means:
 - (i) a plant;
 - (ii) plant reproductive material;
 - (iii) any article wholly produced by or from or otherwise wholly derived from a single plant; or
 - (iv) any readily recognizable part, of a species or any derivative thereof specified in Schedules I, II, III or designated pursuant to Section 4(1)(d);
 - (jj) "quota" means the prescribed number or quantity of specimens that can be exported or otherwise used over a specific period of time;
 - (kk) "ranch" means a facility where wild animals are reared, in a controlled environment, from specimens, and offspring from specimens taken from the wild for the purposes of trade; ranching has a similar meaning as the context requires;
 - (ll) "readily recognisable part or derivative" includes any specimen which appears from its label, mark, description or any package or document accompanying it, to be a specimen specified in Schedules I, II, III or designated pursuant to Section 4(1)(d);
 - (mm) "recipient" means:
 - (i) in relation to a specimen that is exported, the person in the State to which the specimen is exported; who is to have the care and custody of that specimen; and
 - (ii) in relation to a specimen that is imported, the person in Guyana who is to have the care and custody of that specimen;
 - (nn) "relevant authority" in relation to a State, means:
 - (i) in the case of a Convention State, a Authority in that State; or
 - (ii) in relation to any other State, the competent authority of that State within the meaning of Article X of the Convention;
 - (oo) "species" includes any sub-species, variety, form or geographically separate population, whether wild or domestic, of any species;
 - (pp) "specimen" means a single item of wildlife (living or non-living) specified in Schedules I, II, III or designated pursuant to Section 4(1)(d) and any part or derivative thereof;
 - (qq) "transshipment" means, after goods have been unloaded or in any way removed from the means of transportation by which they came into Guyana, their loading, placing on board or within or upon the same or any other means of transportation without having been recorded as having been landed in Guyana;
 - (rr) "wildlife" includes any non-cultivated or non-domestic organism in

the kingdoms of animals, plants, protista, prokaryota and fungi and any parts or derivatives thereof.

- (ss) "Wildlife General Fund" means the Wildlife General Fund as defined in Section 12 of this Act
 - (tt) "Wildlife Scientific Committee" means the Wildlife Scientific Committee constituted by the Minister under Section 6 (1) which shall be the Scientific Authority in accordance with Article IX of the Convention;
- (2) For the purposes of this Act, where an article consists of or is derived from a specimen and other material, two or more specimens, or two or more specimens and other material, that article shall be deemed to be a separate article, being respectively:
- (a) that specimen and an article consisting of that material;
 - (b) each of those specimens; or
 - (c) each of those specimens and an article consisting of that material.
- (3) A reference in this Act to a State shall be read as including a reference to a place that is a territory, dependency, colony or province (howsoever described) of that State.
- (4) For the purposes of this Act, a specimen shall be taken to have been imported into Guyana by way of introduction from the sea if, and only if, the specimen was taken in the marine environment not under the jurisdiction of any State and then imported into Guyana without having been imported into any other State.
- (5) For the purposes of this Act:
- (a) where a live animal (other than animal reproductive material) that was bred in captivity dies, the dead animal and any specimen derived therefrom shall be taken to be specimens derived from that live animal; and
 - (b) where a live plant (other than plant reproductive material) that was artificially propagated dies, the dead plant and any specimen derived therefrom shall be taken to be specimens derived from that live plant.
- (6) For the purposes of this Act, an activity may be described as commercial if:
- (a) its purpose is to obtain commercial benefit, including profit whether in cash or kind; and
 - (b) it is directed towards resale, exchange, or provision of a service or other form of economic use or benefit, so, however, that the burden of proof for showing the intended activity is not commercial shall rest with the person or body seeking to deal in such activity.
- (7) For the purposes of this Act, the doing of anything to or with a live animal or plant for the purposes of scientific research shall not be taken as failure to provide suitable care for the animal or plant, provided there be compliance with the guidelines stipulated by the Wildlife Scientific Committee.

PART II

SCOPE

4. (1) This Act applies to all wildlife species listed in:
- Schedules. (a) Schedule I which lists all species included in Appendix I of the Convention;
- (b) Schedule II which lists all species included in Appendix II of the Convention;
- (c) Schedule III which lists all species included in Appendix III of the Convention;
- (d) a ministerial order, published within twenty-one (21) days of the commencement of each year in the *Official Gazette* identifying such other wildlife to which this Act applies.
- Amendment to Schedules I, II and III (2) (a) Schedules I, II and III are automatically amended within ninety (90) days when amendments to Appendices I, II or III of the Convention enter into force, provided that Guyana has not entered a reservation and the said amendments are published in the *Official Gazette*;
- (b) The Authority may, on the recommendation of the Wildlife Scientific Committee, cause proposals for the transfer of a specimen from one Schedule to another to be prepared and submitted to the Minister.
- (3) The Amendments to be made to the Schedules shall be published in the *Official Gazette*, and in at least one daily newspaper of general circulation in Guyana, as well as through the Internet and at the office of the Authority.

PART III

ADMINISTRATION

- Establishment of Authority. 5. (1) There is hereby established the Wildlife Import and Export Authority which shall be a body corporate governed by a Board of Directors.
- (2) The Wildlife Import and Export Authority is designated as the CITES Management Authority for Guyana.
- (3) Schedule VII shall have effect as to the matters therein provided for in relation to the Board of Directors.

- Establishment of Wildlife Scientific Committee
6. (1) The Minister shall, by order, designate a group of qualified persons or body to be the Wildlife Scientific Committee which is designated as the CITES Scientific Authority of Guyana.
- (2) The Wildlife Scientific Committee shall consist of representatives of:
- (a) The Environmental Protection Agency;
 - (b) The Ministry of Agriculture;
 - (c) The Wildlife Import and Export Authority;
 - (d) The Institution(s) delegated under Section 8(3);
 - (e) The Guyana Forestry Commission;
 - (f) The University of Guyana;
 - (g) a non-governmental organisation responsible for the conservation of the environment.
- (3) The Wildlife Scientific Committee may add additional members and may delegate its function as a Wildlife Scientific Committee to any subcommittee consisting of one or more members of the Wildlife Scientific Committee, including additional members.
- Directions to Authority.
7. The Minister may, in consultation with the Authority, give to the Authority such directions of a general character as to the policy to be followed by the Authority in the performance of its functions as appear to the Minister to be necessary in the public interest and the Authority shall give effect to the directions.
- Functions of Authority.
8. (1) The functions of the Authority shall include, but are not limited to:
- (a) taking such steps as are necessary for the management and conservation of wildlife against over-exploitation through importation, exportation, re-exportation and introduction from the sea;
 - (b) consulting with the Wildlife Scientific Committee on the scientific aspects on the protection of species of wildlife;
 - (c) devising measures to prevent trade in or possession of specimens specified in Schedules I, II, III or designated pursuant to Section 4(1)(d) in violation of this Act;
 - (d) advising the Minister generally on matters relating to the importation, exportation, re-exportation and introduction from the sea of species of wildlife;
 - (e) granting and cancelling of licences, permits and certificates in respect of importation, exportation, and re-exportation of and other trade in species specified in Schedules I, II, III or designated pursuant to Section 4(1)(d) and attaching any conditions it may deem necessary;
 - (f) providing awareness-raising, opportunities for feedback, training, education and information related to the international wildlife trade and implementation of the Convention;
 - (g) advising the Minister on action to be taken for the implementation and enforcement of the Convention;
- Schedules I, II, III, IV or V.
- Schedules I, II, III, IV or V.

- (h) representing Guyana at national and international meetings related to the Convention; and
 - (i) performing such other functions pertaining to the importation, exportation, re-exportation and introduction from the sea of species specified in Schedules I, II, III or designated pursuant to Section 4(1)(d), as may be assigned to it, by the Minister.
- (2) The duties of the Authority shall be:
- (a) to review and propose, after consultation with the Wildlife Scientific Committee, stricter guidelines, where necessary to the provisions of Part VII, regarding the method of shipment, including container and other packaging requirements necessary for transport of a specimen specified in Schedules I, II, III or designated pursuant to Section 4(1)(d);
 - (b) to consult with the Wildlife Scientific Committee on:
 - (i) matters under this Act which require consultation on scientific aspects of protection of species; and
 - (ii) matters regarding the amendment of Schedules I, II, III;
 - (c) to prepare annual reports regarding the importation, exportation, re-exportation and introduction from the sea of wildlife specified in Schedule I, II, III or designated pursuant to Section 4(1)(d);
- (3) (a) The Authority may delegate to any institution, person or body, the Authority's powers and functions under this Act (other than this power of delegation);
- (b) The delegation described in subsection (a) must be in writing;
 - (c) The delegate must comply with any directions of the Authority in exercising powers or functions under the delegation;
 - (d) The Authority may, in the instrument of delegation, authorise the sub-delegation of specified functions and powers; in such a case, the institution, person or body to whom or which such sub-delegation may be made, shall be identified;
 - (e) Where the power to delegate conferred by subsection (a) is exercised, the Authority shall cause the name or title of the delegate and the subject matter of the delegation to be published in the *Official Gazette*;
 - (f) A power or duty delegated by the Authority under this section shall, if exercised or performed by the delegate, be exercised or performed in accordance with the instrument of delegation.

Schedule I, II,
III, IV or V.

Functions of
Wildlife
Scientific
Committee.

9. (1) The functions of the Wildlife Scientific Committee shall be, but are not limited to the following:
- (a) to advise the Authority on matters relating to the importation, exportation, re-exportation and introduction from the sea of species specified in Schedules I, II, III or designated pursuant to Section 4(1)(d);

- (b) to advise the Authority of the measures which should be taken including the establishment of quotas, to limit the grant of export permits when the population status of a species so requires;
- (c) to commission research which, in its opinion, is relevant to the protection of species specified in Schedules I, II, III or designated pursuant to Section 4(1)(d) and other wildlife not within the scope of Section 4;
- (d) to perform such other functions pertaining to trade in species of wildlife as may be assigned to it, from time to time, by the Minister or the Authority;
- (e) to perform, if assigned, any tasks foreseen in the Resolutions of the Conference of the Parties to the Convention; and
- (f) formulating and implementing or causing the formulation and implementation of programmes for the ranching of wildlife specified in Schedules I, II, III or designated pursuant to Section 4(1)(d);

Schedule I.

- (2) The duties of the Wildlife Scientific Committee shall be:
 - (a) to advise the Authority on whether or not, in case of a proposed import of a specimen specified in Schedule I, the importation is detrimental to the survival of the particular species;
 - (b) to advise the Authority on whether or not a proposed export or introduction from the sea of a specimen specified in Schedules I, II, III or designated pursuant to Section 4(1)(d) and other wildlife which not being within the scope of Section 4, will be detrimental to the survival of the particular species;

Schedule I or II.

- (c) to advise, in case of a proposed import of a live specimen specified in Schedule I or II, whether or not it is satisfied that the proposed recipient of the specimen is suitably equipped to house and care for the specimen;
- (d) to represent Guyana at meetings of the Conference of Parties to the Convention;

Schedule I.

- (e) to monitor the export permits granted for Schedules I, II, III or designated pursuant to Section 4(1)(d) and other wildlife not within the scope of Section 4, as well as actual exports of such specimens; and to advise the Authority of suitable measures to be taken to limit the grant of export permits when it has determined that it is necessary to maintain the species throughout its range at a level consistent with its role in the ecosystems, and well above the level at which that species may become eligible for inclusion in Schedule I;
- (f) to advise the Authority on the guidelines for the disposal of confiscated specimens;
- (g) to do all such things pertaining to the protection of species of wildlife, as are assigned to it by the Authority or the Minister from time to time.

- (3) The Annual export quota established on the advice of the Wildlife Scientific Committee shall be published in the *Official Gazette* and where necessary be guided by the decisions of the Conference of the Parties to the Convention.

Appointments
and
remuneration

10. (1) The Authority shall appoint a person as the Director and employ that person on terms and conditions set by the Authority.
- (2) The Director shall be the Chief Executive Officer of the Authority and is responsible to the Authority for:
- (a) Executing the policy of the Authority;
 - (b) Directing the day-to-day business of the Authority; and
 - (c) Directing the officers, employees, consultants and advisers of the Authority.
- (3) The Director, may with the approval of the Authority appoint such other officers and employees as may be necessary for the proper carrying out of the provisions of this Act or its regulations.
- (4) The remuneration and other terms and conditions of employment of the officers and employees of the Authority shall be such as may be determined or varied by the Authority from time to time.
- (5) Where a public officer, or any other person employed by the Government, is transferred to the Authority as an officer or employee, or vice versa, he shall be entitled to have his aggregate service in the public service, under the Government and as an officer or employee of the Authority counted for the purpose of superannuation benefits and he shall, on his ultimate retirement be entitled to receive such benefits calculated in accordance with the Pensions (Cap 27:02) Act, in respect of the aggregate of such service, from the Authority the Government as the case may be, with, or in connection with, which he was last employed.
- (6) The Authority may, with the approval of the Minister, make such provisions as it thinks appropriate for the payment of pension, gratuity or other allowance in respect of the service of the officers and employees of the Authority on their retirement.

Delegation of
Powers by
Minister

11. The Minister may, in writing, delegate any of his powers, other than the power to make subsidiary legislation under this Act, to the Director or to any officer of the Authority subject to such limitations, conditions and qualifications as the Minister may think fit.

Wildlife
General Fund

12. There is hereby established a Wildlife General Fund hereinafter in this Part referred to as the "Fund" which shall be used to fund the operations of the Authority and for purposes authorized under this Act.

Resources of
the Fund

13. (1) The resources of the Fund shall consist of:
- (a) Revenue obtained under this Act or its Regulations including fixed penalties paid under Sections IX and X;

- (b) Such sums as may be provided by Parliament;
- (c) Such sums which are provided to the Authority or the Government by foreign states, international organizations, multilateral or bilateral lending agencies, private individuals, foundations, corporations or other entities to further the objectives of this Act;
- (d) Such moneys or other assets as may accrue to, or vest in the Authority by way of grants, subsidies, bequests, donations or gifts;
- (e) All other sums or property that may in any manner become payable to or vested in the Authority.

Accounts and
Audit of the
Authority

14. (1) The financial year of the Authority shall end on the thirty-first day of December.
- (2) The Authority shall keep proper accounts and other records in respect of its operations and the accounts shall be audited annually by the Auditor General.
- (3) All books and accounts kept by the Authority shall be subject to examination and audit at any time by the Auditor General.
- (4) The members, officers and employees of the Authority shall grant to the Auditor General access to all books, documents, cash and securities of the Authority and shall give him on request all such information as may be within their knowledge in relation to the operation of the Authority.

Report of the
Authority

15. (1) The Authority shall not later than six months after the end of each financial year submit a report to the Minister containing:
- (a) an account of its transactions throughout the preceding financial year in such detail as the Minister may direct; and
 - (b) a statement of the accounts of the Authority audited in accordance with Section 14.
- (2) A copy of the report together with a copy of the Auditor General's report shall be printed and laid before the National Assembly.

PART IV

PERMIT AND CERTIFICATE

Breeding in
captivity.

16. (1) (a) Any person who proposes to engage in an operation which involves activities related to the captive breeding of live animals for the purposes of export shall, before commencing such activities related thereto, apply to the Authority for a licence to operate a Captive Breeding facility, accompanied by the appropriate fee prescribed in Schedule IV and such information or document, if any, as the Authority may require.
- (b) In considering an application made under paragraph (1)(a) the Authority shall:
- (i) consult with the Wildlife Scientific Committee; and
 - (ii) give due regard to the decisions of the Conference of the

Parties of the Convention.

- (c) The licence issued under paragraph 1(a) shall be a Captive Breeding Operation Licence and shall be issued on such conditions as the Authority deems appropriate, after the successful consideration of the application.
 - (d) All Operations licensed shall be registered as a Captive Breeding Operation by the Authority.
 - (e) A Captive Breeding Operation Licence shall be valid for a period not exceeding five years.
- (2) For the purposes of this Act, a live animal of a particular kind, shall be taken to have been bred in captivity only if, it was bred in circumstances in which the following criteria are met:
- (a) The specimen is, or is derived from, or otherwise produced in a controlled environment from either of the following:
 - (i) parents that mated or had gametes otherwise transferred in a controlled environment, if reproduction is sexual;
 - (ii) parents that were in a controlled environment when development of the offspring began, if reproduction is asexual.
 - (b) Such other circumstances declared by the Authority to constitute bred in captivity based on resolutions and decisions of the parties to the Convention and advice of the Wildlife Scientific Committee.
- (3) An animal specimen included in Schedule I bred in captivity for commercial purposes shall be deemed to be a specimen included in Schedule II:
- (i) where the breeding stock has itself produced second or subsequent generation offspring in a controlled environment; and
 - (ii) where the specimen is the product of a Captive Breeding Operation registered in accordance with the decisions and resolutions of the Conference of Parties of the Convention.
- (4) Where, in relation to the export of an animal specimen, the Authority is satisfied that the specimen was bred in captivity, the Authority shall issue a Captive Bred Certificate;
- (5) Where an animal is bred in captivity for scientific research and scientific exchange, unless otherwise agreed, every progeny of such animal shall remain the property of the State of Guyana.
- (6) The Authority may cancel a Captive Breeding Operation Licence granted under this Act:
- (a) upon breach of a condition subject to which the Captive Breeding Operation Licence was granted;
 - (b) where the holder of the Captive Breeding Operation Licence contravenes any provision of this Act;
 - (c) where the Authority is satisfied that information which was misleading, false or deceptive was submitted to it in support of the application for the Captive Breeding Operation Licence and on the basis of which the licence was granted;
 - (d) upon failure of the holder of the Captive Breeding Operation Licence

Certificate for specimen bred in captivity.

- (f) for any other reason where the Authority thinks it is proper to do so.
 - (4) Where the Authority is considering the cancellation of a Wildlife Ranching Licence, it shall:
 - (a) notify in writing the person to whom the Wildlife Ranching Licence was granted that cancellation of the Wildlife Ranching Licence is being considered, together with the reasons for the proposed cancellation; and
 - (b) afford the holder of the Wildlife Ranching Licence a reasonable opportunity to submit representations regarding the proposed cancellation;
 - (c) after having reached a decision on the cancellation of the Wildlife Ranching Licence, the Authority shall:
 - (i) notify the Wildlife Ranching Licence holder of the decision, in writing; and
 - (ii) if the decision is to cancel the Wildlife Ranching Licence, such cancellation shall have effect on receipt of the notice by the holder; and
- instruct the holder to return the Wildlife Ranching Licence immediately.

Requirement for permit.

- 19. (1) No person shall import, export, re-export or introduce from the sea, any specimen of an species of wildlife, including animals bred in captivity and artificially propagated species specified in Schedules I, II, III or designated pursuant to Section 4(1)(d), except with a permit or certificate in accordance with the provisions of this Act.
- (2) A person who contravenes paragraph (1) commits an offence and shall be liable to the penalties prescribed under paragraph D of Schedule VI

Application for Permit or Certificate.

- 20. (1) Subject to paragraph (2), any person who proposes to import, export, re-export or introduce from the sea any wildlife specimen specified in Schedules I, II, III or designated pursuant to Section 4(1)(d) shall, before commencing any action related thereto, apply to the Authority for a permit or certificate in the manner prescribed in Form A of Schedule V, accompanied by the fee prescribed in paragraph (4) and such information or document, if any, as the Authority may require.
- (2) A person shall not import, export or re-export an animal listed in Schedule 1, bred in captivity, unless the animal originates from a breeding operation registered by the Authority of the country of export and such animal bred in captivity has been permanently marked, wherever practicable, in a manner so as to render alteration or modification by an un-authorized person as difficult as possible.
- (3) An application under paragraph (1) shall in the case of:
 - (a) an application for a permit to import any animal or plant specified in Schedule II shall be accompanied by a copy of a valid export permit issued and certified by the country of origin or a valid foreign re-

- in writing; and
 - (ii) if the decision is to cancel the Artificial Propagation Licence, such cancellation shall have effect on receipt of the notice by the holder; and
- instruct the holder to return the Artificial Propagation Licence immediately.

Ranching.

18. (1) (a) Any person who proposes to engage in an operation which involves activities related to the ranching of live animals for the purposes of export shall, before commencing such activities related thereto, apply to the Authority for a licence to operate a Wildlife Ranching facility, accompanied by the appropriate fee prescribed in Schedule IV and such information or document, if any, as the Authority may require.
- (b) In considering an application made under paragraph (1)(a) the Authority shall:
- (i) consult with the Wildlife Scientific Committee;
 - (ii) ensure the compliance with any ranching programme developed by the Wildlife Scientific Committee pursuant to Section 9(1)(f);
 - (iii) give due regard to the decisions and resolutions of the Conference of the Parties of the Convention;
- (c) The licence issued under paragraph 1(a) shall be a Wildlife Ranching Licence and shall be issued on such conditions as the Authority deems appropriate, after the successful consideration of the application;
- (d) All Operations licensed shall be registered as a Wildlife Ranching Operation by the Authority;
- (e) a Wildlife Ranching Operation Licence shall be valid for a period not exceeding five years.
- (2) Where, in relation to the export of an animal specimen, the Authority is satisfied that the specimen was the product of a Wildlife Ranching Operation, the Authority shall issue a permit to that effect.
- (3) the Authority may cancel a Wildlife Ranching Licence granted under this Act:
- (a) upon breach of a condition subject to which the Wildlife Ranching Licence was granted;
 - (b) where the holder of the Wildlife Ranching Licence contravenes any provision of this Act;
 - (c) where the Authority is satisfied that information which was misleading, false or deceptive was submitted to it in support of the application for the Wildlife Ranching Licence and on the basis of which the licence was granted;
 - (d) upon failure of the holder of the Wildlife Ranching Licence to keep accurate records in accordance with Section 34;
 - (e) if the Authority is of the opinion that the Wildlife Ranching Licence is

- other plant tissues, spores or other propagules in a controlled environment;
- (b) the seeds, cuttings, callus tissue, spores or other propagules are:
 - (i) established and maintained in a manner that is not detrimental to the survival in the wild of that kind of plant; and
 - (ii) managed in a manner designed to maintain the breeding stock indefinitely.
 - (3) A plant specimen included in Schedule I which is artificially propagated for commercial purposes shall be deemed to be a specimen included in Schedule II where the specimen is the product of an Artificial Propagation Operation registered in accordance with the decisions and resolutions of the Conference of Parties of the Convention.
 - (4) Where, in relation to the export of a plant specimen, the Authority is satisfied that the specimen was artificially propagated, the Authority shall issue a Certificate of Artificial Propagation to that effect; and such certificate shall be *in lieu* of any permit granted under Section 23.
 - (5) Where a plant is artificially propagated for scientific research and scientific exchange, unless otherwise agreed, every progeny of such plant shall remain the property of the State of Guyana.
 - (6) the Authority may cancel an Artificial Propagation Licence granted under this Act:
 - (a) upon breach of a condition subject to which the Artificial Propagation Licence was granted;
 - (b) where the holder of the Artificial Propagation Licence contravenes any provision of this Act;
 - (c) where the Authority is satisfied that information which was misleading, false or deceptive was submitted to it in support of the application for the Artificial Propagation Licence and on the basis of which the licence was granted;
 - (d) upon failure of the holder of the Artificial Propagation Licence to keep accurate records in accordance with Section 34;
 - (e) if the Authority is of the opinion that the Artificial Propagation Licence is not in the interest of Guyana; or
 - (f) for any other reason where the Authority thinks it is proper to do so.
 - (7) Where the Authority is considering the cancellation of an Artificial Propagation Licence, it shall:
 - (a) notify in writing the person to whom the Artificial Propagation Licence was granted that cancellation of the Artificial Propagation Licence is being considered, together with the reasons for the proposed cancellation; and
 - (b) afford the holder of the Artificial Propagation Licence a reasonable opportunity to submit representations regarding the proposed cancellation.
 - (c) after having reached a decision on the cancellation of the Artificial Propagation Licence, the Authority shall:
 - (i) notify the Artificial Propagation Licence holder of the decision,

- to keep accurate records in accordance with Section 34;
- (e) if the Authority is of the opinion that the Captive Breeding Operation Licence is not in the interest of Guyana; or
 - (f) for any other reason where the Authority thinks it is proper to do so.
- (7) Where the Authority is considering the cancellation of a Captive Breeding Operation Licence, it shall:
- (a) notify in writing the person to whom the Captive Breeding Operation Licence was granted that cancellation of the Captive Breeding Operation Licence is being considered, together with the reasons for the proposed cancellation; and
 - (b) afford the holder of the Captive Breeding Operation Licence a reasonable opportunity to submit representations regarding the proposed cancellation.
 - (c) after having reached a decision on the cancellation of the Captive Breeding Operation Licence, the Authority shall:
 - (i) notify the Captive Breeding Operation Licence holder of the decision, in writing; and
 - (ii) if the decision is to cancel the Captive Breeding Operation Licence, such cancellation shall have effect on receipt of the notice by the holder; and
 instruct the holder to return the licence immediately.

Artificial
propagation.

17. (1) (a) Any person who proposes to engage in an operation which involves activities related to the artificial propagation of live plants for the purposes of export shall, before commencing such activities related thereto, apply to the Authority for a licence to operate an Artificial Propagation facility, accompanied by the appropriate fee prescribed in Schedule IV and such information or document, if any, as the Authority may require;
- (b) In considering an application made under paragraph (1)(a), the Authority shall:
- (i) consult with the Wildlife Scientific Committee;
 - (ii) give due regard to the decisions of the Conference of the Parties of the Convention;
- (c) The licence issued under paragraph 1(a) shall be an Artificial Propagation Licence and shall be issued on such conditions as the Authority deems appropriate, after the successful consideration of the application.
- (d) All Operations licensed shall be registered as an Artificial Propagation Operation by the Authority.
- (e) An Artificial Propagation Licence shall be valid for a period not exceeding five years.
- (2) For the purposes of this Act, a live plant of a particular kind shall be taken to have been artificially propagated in the following circumstances:
- (a) the plant was grown from seeds, cuttings, divisions, callus tissues or

Offences of exporting, importing, etc.

- export permit issued by the country of re-export;
- (b) an application for an import permit in respect of any species specified in the Schedule III shall be accompanied by:
 - (i) a certificate of origin; or
 - (ii) an export permit, where the species is being imported from a state which is Party to the Convention whose laws apply to that species;
- (c) an application for a permit to re-export any wildlife specified in Schedule III shall be accompanied by a certificate of origin or export permit pertinent to such animal or plant.
- (4) The fees in respect of an application for a permit or certificate pursuant to this Section shall be the amounts set out in Schedule IV, as amended from time to time by notice published in the *Official Gazette*.

Change in particulars.

21. (1) Every person who imports, exports, re-exports or introduces from the sea any animal or plant before obtaining a permit or certificate under Sections 16, 17 and 20 commits an offence and shall be liable to the penalties prescribed under paragraph D of Schedule VI; and shall be disqualified from obtaining an import, export or re-export permit or introduction from the sea certificate for such period as the Magistrate determines.
- (2) Any person who, while disqualified from holding an import, export or re-export permit or introduction from the sea certificate under paragraph (1), obtains or attempts to obtain such permit or certificate commits an offence and shall be liable to the penalties prescribed under paragraph D of Schedule VI.
- (3) A person convicted of an offence under paragraph (2) shall be disqualified for a period of not less than twelve months from the date of conviction from holding or obtaining an import, export or re-export permit or introduction from the sea certificate, and on a second conviction for a like offence shall be permanently disqualified from obtaining an import, export, re-export permit or introduction from the sea certificate.

Grant of permit or certificate.

22. Prior to the issue of a permit or certificate, any change in the particulars furnished in the application under Section 20, or after the grant of a permit or certificate, any change in the information on the basis of which a permit or certificate has been granted, shall be notified immediately in writing to the Authority or its delegate in accordance with Section 8(3) by the applicant, or, as the case may be, by the holder of the permit or certificate.
23. (1) Where, with regard to an application for an export or re-export permit to which this Act relates, the Authority on the advice of the Wildlife Scientific Committee, is satisfied that:
- (a) the proposed export is within the limit of the recommended annual export quota;

Import Permit.

- (b) the proposed export will not be detrimental to the survival of the wildlife (species) concerned and the specimen to be exported;
- (c) in the case of wildlife listed in Schedule I, an import permit has been issued by the competent authority of the State of destination;
- (d) the wildlife has not been obtained in contravention of any law of Guyana, as well as such other obligations deriving from any treaty, convention or international agreement to which Guyana is a Party;
- (e) the transportation arrangements for any living wildlife are adequate and minimise the risk of injury or damage to health thereto;
- (f) the exportation proposed is in the best interest of Guyana; and
- (h) the requirements of this Act have been complied with, it shall grant the permit applied for in such form as the Authority may from time to time determine.

(2) Where the Authority, on the advice of the Wildlife Scientific Committee, in relation to an application for an import permit to which this Act relate, is satisfied that:

- (a) the import shall not be detrimental to the survival of the species concerned and the specimen to be imported;
- (b) the wildlife has not been obtained in contravention of any law including such other obligations deriving from any treaty, convention or international agreement to which Guyana is a Party;
- (c) an export or re-export permit or certificate of origin, authorizing the import of any plant or animal, has been issued by the relevant authority of the exporting State, save and except wildlife listed in Schedule I; and
- (d) the import proposed is in the best interest of Guyana, the Authority shall grant the permit applied for on such terms and conditions as it sees fit and in such form as it may from time to time determine.

Certificate of introduction from the sea.

(3) Where the Authority, on the advice of the Wildlife Scientific Committee, in respect of an application for a certificate for the introduction from the sea of a specimen to which this Act relate, is satisfied that:

- (a) the introduction from the sea of the specimen will not be not detrimental to the survival of the species;
- (b) for species listed in Schedule 1, the specimen is not intended to be used for primarily commercial purposes;
- (c) in case of a living specimen, the proposed recipient of such specimen is suitably equipped to house and care for it;
- (d) in case of a living specimen, such specimen will be so prepared and transported so as to minimise the risk of injury to, deterioration of the health or cruel treatment of the specimen;
- (e) the specimen has not been obtained in contravention of any law including such other obligations deriving from any treaty, convention or international agreement to which Guyana is a Party; and
- (f) the proposed introduction from the sea of the specimen is in the best interest of Guyana,

the Authority shall grant the certificate applied for on such terms and conditions as it sees fit in such form as it may from time to time determine.

- (4) Permits and Certificates issued under this Section shall be in the manner prescribed in Form F of Schedule V

Validity of Permit.

24. (1) An export and re-export permit shall be valid for a period not exceeding six months from the date of issue;
- (2) An import permit shall be valid for a period not exceeding six months from the date of issue of the corresponding export permit or re-export permit, by the country of export or re-export, as the case may be;
- (3) A certificate of introduction from the sea of a specimen shall be valid for a period not exceeding three months from the date of issue.

Grounds for refusal to grant permit or certificate.

25. The Authority may refuse to grant a permit or certificate under this Act, where it has reason to believe:
- (a) that the import, export, re-export or introduction from the sea, will be for purposes that are detrimental to the survival of the species;
- (b) that the plant or animal has been obtained in contravention of any law including such other obligations deriving from any treaty, convention or international agreement to which Guyana is a Party;
- (c) that the application contains or is based on false or misleading representation or information which is false in a material particular;
- (d) in case of an individual, that he:
- (i) is under the age of eighteen years; or
- (ii) is an un-discharged bankrupt;
- (e) in case of a body corporate, that:
- (i) a resolution has been passed against it for its voluntary winding up or an order has been made by a court of competent jurisdiction for its winding up;
- (ii) a receiver has been appointed to manage any of its assets; or
- (iii) any of its directors has been convicted of any offence specified under this Act during the period of five years immediately preceding application.
- (f) the transportation arrangements, whether by land, sea or by air, for any living plant or animal are inadequate and present a serious risk of injury, or damage thereto;
- (g) an export or re-export permit or certificate of origin, authorizing the import of any plant or animal, has not been issued by the relevant authority of the exporting state; or
- (h) based on a reference to and recommendation received from the Wildlife Scientific Committee, for species not included in the quota, the issue of the permit or certificate would not be in the best interest of Guyana, having regard to such factors as the Wildlife Scientific Committee considers relevant including:
- (i) the need for the protection of certain species of wildlife from over-

- exploitation through international trade; or
- (ii) the preservation of the character of the environment, including wildlife.

Renewal of
permit or
certificate.

26. (1) A permit or certificate granted pursuant to this Act may, on its expiration, be renewed by the Authority if:
- (a) an application, accompanied by the fee prescribed in Schedule IV is made not later than one month before the date of expiry; and
 - (b) after consultation with the Wildlife Scientific Committee, the Authority is satisfied that there has been no material change in the circumstances that existed at the time the permit or certificate was granted.
- (2) Where the Authority:
- (a) receives an application for the renewal of a permit or certificate after the period specified in paragraph (1)(a); or
 - (b) after consultation with the Wildlife Scientific Committee, it is satisfied that a material change of circumstances has occurred since the grant of the permit or certificate, it shall treat the application as a new application, and accordingly, the relevant provisions of this Act relating to the application for a permit or certificate shall apply.

Restriction of
permits
retrospectively.

27. (1) The Authority shall not issue a permit or certificate retrospectively, in respect of any specimen specified in Schedule I.
- (2) The Authority shall not issue a permit or certificate retrospectively in respect of any specimen specified in Schedules II, III or designated pursuant to Section 4(1)(d) unless:
- (a) the Authority and any relevant authority are satisfied that no irregularity is attributable to the importer, exporter or re-exporter of any specimen; and
 - (b) the importation, exportation or re-exportation of the specimen is in accordance with this Act and any other laws of Guyana and any other State.

Modification of
permit or
certificate.

28. (1) A person to whom a permit or certificate has been granted pursuant to this Act may apply to the Authority to vary or modify the permit or certificate stating clearly the reasons therefor.
- (2) In considering an application under paragraph (1), the Authority shall have regard to the matters specified in Section 25.

Suspension of
permit or
certificate.

29. (1) The Authority may suspend a permit or certificate for a breach of any provision of this Act or of any term or condition subject to which the permit or certificate is granted.
- (2) The Authority shall, on suspending a permit or certificate, notify the holder thereof in writing:
- (a) stating the breach which gave rise to the suspension;

- (b) requiring the holder of the permit or certificate to remedy the breach;
 - (c) stating the time within which the breach is to be remedied; and
 - (d) stating whether the permit is to be returned within a specified time to the Authority.
- (3) The holder of the permit or certificate, upon remedying the breach, shall so inform the Authority and the Authority shall, if it is satisfied that the breach is remedied, forthwith return the permit or certificate, as the case may be, to the holder thereof.

Grounds for cancellation of permit.

30. (1) Without prejudice to paragraph (2), the Authority may cancel a permit or certificate granted under this Act:
- (a) upon breach of a condition subject to which the permit or certificate was granted;
 - (b) where the holder of the permit or certificate contravenes any provision of this Act;
 - (c) where the Authority is satisfied that information which was misleading, false or deceptive was submitted to it in support of the application for the permit or certificate and on the basis of which the permit or certificate was granted;
 - (d) upon failure of the holder of the permit or certificate to keep accurate records in accordance with Section 34;
 - (e) where there has been an outbreak of disease among any animals or plants in respect of which a permit was issued or there is a reason to believe that such an outbreak is imminent;
 - (f) if the Authority is of the opinion that the permit or certificate granted is not in the interest of Guyana; or
 - (g) for any other reason where the Authority thinks it is proper to do so.
- (2) Where the Authority is considering the cancellation of a permit or certificate, it shall:
- (a) notify in writing the person to whom the permit or certificate was granted that cancellation of the permit or certificate is being considered, together with the reasons for the proposed cancellation; and
 - (b) afford the holder of the permit or certificate a reasonable opportunity to submit representations regarding the proposed cancellation.
- (3) After having reached a decision on the cancellation of the permit, the Authority shall:
- (a) notify the permit or certificate holder of the decision, in writing; and
 - (b) if the decision is to cancel the permit or certificate, such cancellation shall have effect on receipt of the notice by the holder; and instruct the holder to return the permit or certificate immediately.

- Compensation.** 31. Compensation shall not be payable to a holder of the permit or the holder of the certificate where the decision to cancel the permit or certificate was necessary for the purposes of protecting and conserving the environment,

any wildlife or by reason of an unforeseeable change in the circumstances on the basis of which the permit or certificate was granted.

Non-transferability of permit.

31. A permit or certificate granted under this Act shall not be transferable.

Used permit etc. to be retained.

33. (1) An unused or expired permit must be returned to the Authority within fourteen (14) days from the expiration of the permit.
- (2) The Authority shall cancel and retain a used export permit and re-export certificate issued by the relevant authorities of a foreign State and the corresponding import permit.

PART V

KEEPING OF RECORDS

Holder of permit or certificate to keep Wildlife Register.

34. (1) Every person who is granted a licence, permit or certificate under this Act shall keep accurate books, documents, records or particulars in a register to be called the Wildlife Register relating to any specimen listed in Schedules I, II, III or designated pursuant to Section 4(1)(d); showing:
- (a) the number of specimens he has imported, exported, re-exported or introduced from the sea;
 - (b) the date of such importation, exportation, re-exportation or introduction from the sea;
 - (c) the geographical origin of the specimens exported;
 - (d) the mortality of specimens imported, exported, re-exported or introduced from the sea;
 - (e) the morbidity of specimens imported, exported, re-exported or introduced from the sea; and
 - (f) such other information as the Authority may require.
- (2) The Authority shall suspend a permit or certificate where the holder of such permit or certificate fails to keep a Wildlife Register specified under this paragraph.
- (3) The provisions of Section 29 shall apply *mutatis mutandis* to the suspension procedure for the purpose of this Section.

Authority to keep records.

35. (1) The Authority shall keep registers which shall contain:
- (a) the names, addresses and other particulars of licensed Captive Breeding Operations;
 - (b) the names, addresses and other particulars of licensed Artificial Propagation Operations;
 - (c) the names, addresses and other particulars of licensed Commercial Importers and Exporters;
 - (d) the name of the person to whom the permit or certificate is granted;

- (e) the type of permit or certificate;
 - (f) the date on which the permit or certificate was granted or renewed;
 - (g) the date of expiration of the permit or certificate;
 - (h) the date and reason for revocation and suspension of the permit or certificate and in respect of suspension the period thereof;
 - (i) the specimen or class of specimen of wildlife in respect of which the permit is granted;
 - (j) the number of the permit or certificate; and
 - (k) any other relevant remarks.
- (2) The Authority shall prepare or caused to be prepared, an annual report containing a summary of the information specified in paragraph (1);
- (3) The information referred to in paragraph (2) shall be open for inspection by the public at the offices of the Authority during office hours, free of charge, and the Authority shall, on payment of the specified fee, cause to be made copies of any entry in such register.

PART VI

COMMERCIAL IMPORTERS AND EXPORTERS

Licence to
engage in
commercial
exportation.

36. (1) (a) Any person who proposes to engage in the commercial exportation of wildlife shall, before commencing such activities,
- (i) apply to the Authority for a Commercial Exportation Licence giving such particulars as the Authority shall require;
 - (ii) provide proof of the sole occupation of holding premises licensed in accordance with this Act;
 - (iii) submit to an interview before the Authority.
- (b) Any person who proposes to engage in the commercial importation of wildlife shall, before commencing such activities:
- (i) apply to the Authority for a Commercial Importation Licence giving such particulars as the Authority shall require;
 - (ii) provide proof of the sole occupation of holding premises licensed in accordance with this Act;
 - (iii) submit to an interview before the Authority.
- (2) Every application under (1) above shall specify:
- (a) the full name, address and contact details of the applicant;
 - (b) The species and the number of specimens of that species to be exported or imported;
 - (c) the potential and or intended market for the specimens to be exported or imported;
 - (d) the arrangements for the holding of the wildlife prior to export and after import; and
 - (e) such further information or document as the Authority may require.
- (3) An application under paragraph (1) shall be accompanied by the fee prescribed and set out in Schedule IV as well as such further information

or document as the Authority may require.

- (4) (a) A licence to engage in commercial exportation of wildlife shall be valid for a period not exceeding one year from the date of issue;
- (b) A licence to engage in commercial importation of wildlife shall be valid for a period not exceeding one year from the date of issue.
- (5) Provided that there is no material change in the particulars and information provided under paragraph 2, during the period of validity of the Commercial Exportation Licence or Commercial Importation Licence, the Licence Holder shall not be required to provide the information required under Section 19 for each permit or certificate which is sought for exports or imports.
- (6) A person who contravenes paragraph (1) commits an offence and shall be liable to the penalties prescribed under paragraph D of Schedule VI.
- (7) the Authority may cancel an Commercial Exportation Licence or Commercial Importation Licence granted under this Act:
- (a) upon breach of a condition subject to which the Commercial Exportation Licence or Commercial Importation Licence was granted;
- (b) where the holder of the Commercial Exportation Licence or Commercial Importation Licence contravenes any provision of this Act;
- (c) where the Authority is satisfied that information which was misleading, false or deceptive was submitted to it in support of the application for the Commercial Exportation Licence or Commercial Importation Licence and on the basis of which the licence was granted;
- (d) upon failure of the holder of the Commercial Exportation Licence or Commercial Importation Licence to keep accurate records in accordance with Section 34;
- (e) if the Authority is of the opinion that the Commercial Exportation Licence or Commercial Importation Licence is not in the interest of Guyana; or
- (f) for any other reason where the Authority thinks it is proper to do so.
- (8) Where the Authority is considering the cancellation of a Licence, it shall:
- (a) notify in writing the person to whom the Licence was granted that cancellation of the Licence is being considered, together with the reasons for the proposed cancellation; and
- (b) afford the holder of the Licence a reasonable opportunity to submit representations regarding the proposed cancellation.
- (9) After having reached a decision on the Licence, the Authority shall:
- (a) notify the Licence holder of the decision, in writing; and
- (b) if the decision is to cancel the Licence, such cancellation shall have effect on receipt of the notice by the holder; and instruct the holder to return the licence immediately.

Grounds for
cancellation.

Cancellation
of Licence.

Export Levy. 37. (1) There shall be charged, levied, collected and paid to the Authority :

- (a) a sum equivalent to 20 percent of the monetary value of the specimen where the specimen is collected from the wild; or
 - (b) a sum equivalent to 10 percent of the monetary value of the specimen, where the specimen is the product of a Captive Breeding Operation or Artificial Propagation Operation, in respect of every specimen to be exported from Guyana.
- (2) The holder of a Commercial Exportation Licence shall pay the sum charged and levied pursuant to paragraph 1 for the export of every specimen exported from Guyana.
- (3) The sum referred to in paragraph 1 shall be collected and paid into the Wildlife General Fund, by the Commercial Exporter under whose authority the specimen is exported.
- (4) For the purpose of this part 'monetary value':
- (a) is computed by the Authority, as the value of the specimen based on the following factors:
 - (i) the schedule in which the specimen is listed;
 - (ii) the average unit price at which the specimen was sold in the intended market of export;
 - (iii) cost of acquisition of the specimen;
 - (iv) such other relevant factors as the Authority may deem appropriate.
 - (b) means the amount in United States of America Dollars or its equivalent in Guyana Dollars at the cambio selling rate of exchange on the date of payment, of the financial institution designated by the Authority, cambio selling rate of exchange on the date of payment, after computation by the Authority pursuant to paragraph 4(a).

PART VII

TRANSPORTATION OF WILDLIFE

- Shipment of animals by air. 38. (1) Every person who exports, imports or re-exports from Guyana a live animal shall, where it is shipped by air, prepare it for shipment and ship it in accordance with the current edition of the *IATA Regulations*.
- (2) Every person who exports, imports or re-exports from Guyana a live animal or plant shall, where it is shipped by land, sea or, in the case of a live plant, air, prepare it for shipment and ship it in accordance with the *IATA Regulations*

- Shipment on export permits. 39. Animals in respect of which export permits have been granted shall be prepared for shipment and shipped in accordance with the requirements of Section 38.

PART VIII

LICENCING OF HOLDING PREMISES

- Licensing of holding premises. 40. A holder of a Commercial Export Licence or Commercial Import Licence shall not keep wildlife introduced from the sea or any other wildlife for export, except in holding premises licensed by the Authority.
- Application for licence. 41. (1) The owner or occupier of any premises who desires to keep animals referred to in Section 40 shall before doing so apply to the Authority for a licence in respect of those premises.
- (2) Every Application shall specify:
- (a) the full name, address and contact details of the applicant;
 - (b) the address of the proposed holding premises;
 - (c) the basis of the applicant's occupation of the premises;
 - (d) the species and the maximum number of specimens of that species which can be kept on the premises;
 - (e) The number of persons employed by the applicant at the premises;
 - (f) the arrangements for the transport of the wildlife prior to export or other dealing; and
 - (g) such further information or document as the Authority may require.
- (3) There shall be charged, levied, collected and paid to the Authority the fee specified in Schedule IV as the Conservation Fee.
- (4) An application to which paragraph (1) relates shall be accompanied by a receipt for the Conservation Fee charged, levied, collected and paid to the Authority issued by the fund established by order of the Minister published in the *Official Gazette*, for the conservation and management of wildlife.
- Pre-Act holding premises. 42. (1) Section 41 shall apply *mutatis mutandis* to the owner of premises used for keeping animals before the commencement of this Act.
- (2) The requirements of paragraph 1 shall come into force on the expiry of the period of 6 (six) months beginning on the day on which this Act comes into force.
- Inspection of premises. 43. (1) Where an application for a licence has been made, an authorised person shall arrange for an inspection of the premises by a veterinarian duly authorised by the Authority who shall prepare a report to be submitted to the Authority not later than one (1) month from the date of application.
- (2) Upon consideration of a report submitted under paragraph (1) if in the opinion of the Authority, the premises, facilities or staffing need to be altered to comply with the requirements of this Act, the Authority shall issue a notice to the owner or occupier specifying the alterations to be made, and shall withhold the issue of any licence until the alterations are satisfactorily completed.

- Grant of licence.**
44. (1) When considering an application, the Authority shall take into account:
- (a) all applicable legal requirements in order to ensure that any decision with respect to the registration is consistent with those requirements;
 - (b) the report of the inspection conducted in accordance with Section 43; and
 - (c) all other relevant factors, including all relevant documentation and information submitted to it by the applicant.
- (2) Where the Authority is satisfied that in relation to an application before it, the requirements of this Act have been complied with, it shall approve the issue of the licence on such terms and conditions as it sees fit and in the manner prescribed in Form B of Schedule V.
- Display of licence.**
45. Where a licence has been issued relating to any premises, the owner or occupier of such premises shall display:
- (1) on the outside of the premises Form C of Schedule V with the particulars therein; and
 - (2) inside the premises Form D of Schedule V with the particulars therein.
- Publication by Authority.**
46. The Authority shall publish in the Gazette from time to time for public information:
- (1) a list of premises licensed as holding premises;
 - (2) a list of holding premises, the licences of which have been cancelled or varied.
- Cancellation or variation of licence.**
47. The Authority may cancel or vary the licence issued to the owner or occupier of premises licensed under this Act:
- (1) where the owner or occupier of premises licensed under this Act has been convicted of any offence under this Act;
 - (2) upon breach of a condition subject to which the licence for the holding premises was granted; or
 - (3) where the holder of the licence for the holding premises contravenes any provision of this Act.
- Notice of cancellation or variation.**
48. Where the Authority is considering the cancellation of a Licence issued under this Part, it shall:
- (1) (a) notify in writing the person to whom the licence was granted that cancellation of the licence is being considered, together with the reasons for the proposed cancellation; and
 - (b) afford the holder of the licence a reasonable opportunity to submit representations regarding the proposed cancellation.
 - (2) After having reached a decision on the cancellation of the licence, the Authority shall:
 - (a) notify the licence holder of the decision, in writing; and
 - (b) if the decision is to cancel the licence, such cancellation shall have

effect on receipt of the notice by the holder; and instruct the holder to return the licence immediately.

PART IX

OFFENCES AND PENALTIES

49. Save as provided in Section 21, a person who commits an offence under this Act, except those offences referred to in Sections 50 to 54 (inclusive) shall be liable to the penalties prescribed under paragraph A of Schedule VI.

False or
Misleading
Statements.

50. Every person who:

- (a) for the purposes of obtaining, whether for himself or for any other person, the issue, grant or renewal of any permit or authorisation issued under this Act, makes any declaration or statement which is false or misleading in any particular;
- (b) furnishes to an authorised person or other person performing any duty in relation to this Act, a document that to the knowledge of the first-mentioned person contains information which is false or misleading in any particular;
- (c) knowingly utters, produces, or makes use of any such declaration or statement or any document containing any false declaration or statement;
- (d) falsifies or amends any information contained in a permit or authorisation,

commits an offence and shall be liable to the penalties prescribed under paragraph D of Schedule VI.

Unlawful
trade.

51. (1) Every person who:

- (a) Exports, imports, re-exports or introduces from the sea any specimen contrary to the provisions of this Act; or
- (b) deals in any specimen by way of a transaction of any description whatsoever contrary to the provisions of this Act; or
- (c) Harvests wildlife in any area, including protected areas, without authorization,

commits an offence and shall be liable to the penalties prescribed under paragraph D of Schedule VI.

Unauthorised
possession.

52. (1) Every person who has in his possession, under his control, or, offers or exposes for sale or displays to the public any specimen to which this Act relate without the proper authorisation or permission of the Authority, commits an offence, and shall be liable to the penalties prescribed under paragraph D of Schedule VI;
- (2) It shall be a defence for any person charged under paragraph (1) to prove that:

- (a) when the specimen came into his possession, he made such enquiries, as in the circumstances of the case were reasonable, to ascertain whether the specimen was a specimen to which this Act apply; and
- (b) when the alleged offence was committed, he had no reason to believe that the specimen was a specimen to which this Act apply.

Threatening etc, authorised persons. 53. Any person who threatens, assaults or obstructs an authorised person acting in the execution of his duties under this Act commits an offence and shall be liable to the penalties prescribed under paragraph D of Schedule VI.

Failure to keep Wildlife Register. 54. Every person who fails to keep a Wildlife Register for the purposes of specimens specified in Schedules I, II, III or designated pursuant to Section 4(1)(d) commits an offence and shall be liable to the penalties prescribed under paragraph A of Schedule VI.

Revocation of licences 55 (1) The Minister may revoke a licence issued under this Act where the holder of the licence has been convicted of three offences under this Act.
 (2) Prior to the cancellation of the licence, the Minister shall give the licence holder a reasonable opportunity to make representation.
 (3) The holder of a licence revoked by the Minister under this Section shall be prohibited from applying for a licence of the kind suspended or any other licence under this Act for a period determined by the Minister. OR
 (3) The holder of a licence revoked by the Minister under this Section shall be prohibited from applying for a licence of the kind suspended or any other licence under this Act for a period of (....) years from the date of cancellation.

PART X

ENFORCEMENT

Enforcement 56 (1) The provisions of this Act shall be enforced by the Authority or such other duly authorised person.
 (2) It shall be the duty of all public authorities to cooperate fully with the Authority in enforcing the provisions of this Act.

Liability of body corporate. 57. Where an offence against this Act is committed by a body corporate, every director, manager, secretary or other officer concerned in the management of that body corporate shall, without prejudice to the liability of the body corporate, be deemed to have committed the offence unless at the trial it is proved:
 (a) that the offence was committed without the knowledge, consent or

connivance of that officer; or

(b) that the officer exercised all due diligence to prevent the commission thereof as ought to have been exercised having regard to the nature of his functions in the body corporate and the circumstances of the case.

Possession of
wildlife.

58. (1) No person shall, subject to any other law, possess any wildlife specified in Schedules I, II, III or designated pursuant to Section 4(1)(d) imported or introduced from the sea into Guyana or exported or re-exported from Guyana contrary to the provisions of this Act.
- (2) The person referred to in paragraph (1), is exempted from the operation of paragraph (1) where the person who possesses the wildlife establishes a reasonable probability that it or, in the case of a specimen, the wildlife from which it comes:
- (a) was taken from its habitat prior to the commencement of this Act;
 - (b) was not imported into Guyana in violation of any law;
 - (c) the distribution of it or the offering to distribute it would be in accordance with any other applicable laws that relate to the conservation and protection of the particular species of wildlife;
 - (d) the wildlife was acquired prior to the commencement of this Act;
 - (e) the wildlife is a herbarium specimen, other preserved, dried or embedded museum specimen or live plant material to be imported, exported or re-exported as a non-commercial loan, donation or exchange between approved person or scientific institutions.

Entry of
authorised
person.

59. (1) An authorised person may, for the purpose of the execution of this Act, enter at any reasonable time the premises or vehicle of any person trading in or suspected of trading in any specimen to which this Act apply and inspect any book, document, permit, certificate or record or things relating thereto, and while entering the premises take with him:
- (a) any person duly authorised by the Authority; and
 - (b) any equipment or materials required for any purpose for which the power of entry is being exercised.

Seizure.

60. (1) If an authorised person suspects that an offence contrary to this Act has been committed the authorised person may:
- (a) Detain and seized any specimen which the authorised person reasonably suspects is kept in contravention of this Act;
 - (b) Seize anything which the authorised person reasonably suspects to be transported, acquired or traded in contravention of this Act;
- (2) If any premises to be entered and searched under Section 57 is a residential premises, the authorised person must first apply to a magistrate for a search warrant.
- (3) Any expenses incurred under this Section as a result of seizure, including costs of custody, transportation and disposal of specimens or of maintaining live animals and plants during the time of seizure, is

recoverable as a debt from the person in whose custody the species or specimen was seized.

- (4) Anything seized under this section shall be listed in writing by the authorized officer and a copy list shall be given to the person in whose custody the thing was seized.
- (5) Having, under this Act, seized any wildlife, an officer may do one or more of the following as is appropriate to ensure its survival:
 - (a) take it to a place the officer considers appropriate;
 - (b) give it accommodation, food, rest, water or other appropriate living conditions;
 - (c) if the officer reasonably believes it requires veterinary or other treatment, the treatment should be arranged.

Forfeiture to state.

61. (1) Every specimen in respect of which there is a conviction for an offence against this Act shall be forfeited to the State.
- (2) Where any specimen is forfeited to the State under paragraph (1), the Court may, on the advice of the Wildlife Scientific Committee, order that the specimen be:
 - (a) returned to the wild, in which case the costs associated with return shall be borne by the person found guilty of the offence;
 - (b) stored or kept in, placed under the control or management of, or donated to an approved institution or person;
 - (c) returned to its owner or country of origin, in which case the costs associated with return shall be borne by the person found guilty of the offence;
 - (d) otherwise dealt with in such a manner as may best contribute to the welfare of the specimen, as determined by the Scientific Authority.

Fees Payable to the Authority

62. All fees, charges, sums collected for the composition of offences and any other moneys collected under this Act shall be paid to the Authority.

PART XI

GENERAL PROVISIONS

Repeal

63. The Species Protection Regulations 1999 made under the Environmental Protection Act No.11 of 1996 is hereby repealed.

Savings of laws.

Cap. 82:01

Cap. 71:07

Cap. 68:03

Cap. 47:01

64. (1) This Act shall be read and construed as being in addition to, and not in derogation of any provisions of:
 - (a) The Customs Act, as amended;
 - (b) The Wild Birds Protection Act as amended;
 - (c) The Plant Protection Act as amended;
 - (d) Animals (Movement) And Disease Prevention Act, Act No. 14 of 2003; or
 - (e) The Post and Telegraph Act as amended;

- (f) any other law.
- (2) A person who is the holder of a permit or certificate to import, export, re-export or introduce from the sea wildlife is not, by reason only of being the holder of the permit or certificate, exempt from compliance with any law referred to in paragraph (1) that applies in relation to that wildlife.
- (3) This Act shall not be construed as authorizing or permitting the doing of any act in contravention to the Animals (Movement) And Disease Prevention Act, Act No. 14 of 2003 and any other law relating to quarantine.

- Exceptions. . 65. (1) For the purposes of this Act, where a specimen is brought into Guyana:
- (a) for the purposes of transshipment to another State; or
 - (b) as part of an aircraft's stores or ship's stores, that specimen shall not be taken to have been imported into Guyana, and when it leaves Guyana, shall not be taken to be exported from Guyana.
- (2) (a) The Authority shall be notified where a specimen is brought into Guyana pursuant to paragraph 1(a);
- (b) The Authority may, in collaboration with an officer, inspect a specimen of a species in transit or transshipment in order to verify the existence of appropriate documentation in accordance with the Convention;
 - (c) Where the Authority determines that the requirements of paragraph 2(b) have not been met, the Authority may cause the powers under Section 59 to be invoked.
- (3) For the purposes of this Act, where, in accordance with any law relating to quarantine, a person, exercising powers under that Act or law, brings into Guyana a specimen that is subject to quarantine, that specimen shall not be taken to have been imported unless and until it is released from quarantine.

Approved
Institutions.

66. (1) Subject to subsections (2) and (3), the Authority may, on the application of an institution or an individual in Guyana or in any other State, who is engaged in activities specified in subsection (2), by order published in the *Official Gazette*, declare that institution to be an approved institution or that individual to be an approved person in relation to a specimen or species specified in the order.
- (2) The activities referred to in subsection (1) are activities relating to:
- (a) live plants;
 - (b) herbarium specimens; and
 - (c) preserved, dried or embedded museum specimens in Guyana or in any other State.
- (3) An order under subsection (1) shall have effect:
- (a) for the purpose of permitting the non-commercial loan, donation or exchange of the specimen or species specified therein; and
 - (b) for such period as may be determined by the Authority after consultation with the Wildlife Scientific Committee, and specified in

the order.

- (4) The Authority shall not declare an institution to be an approved institution unless it is satisfied as to the matters specified in subsection (5).
- (5) The matters referred to in subsection (4) are as follows:
- (a) the institution:
 - (i) is owned, controlled or administered by the government of Guyana or any other State; or
 - (ii) in any other case, does not engage in commercial transactions in the specimen or species specified in the order;
 - (b) the breeding of animals, artificial propagation of plants or public exhibition of specimens, for scientific or educational purposes, is the major function of the institution;
 - (c) one of the institution's primary functions is the carrying out of research or investigation into specimens or species;
 - (d) where the institution is situated in Guyana, it is engaged in commercial transactions only in relation to specimens that are, or are derived from:
 - (i) wildlife that were bred in captivity or artificially propagated;
 - (ii) specimens that have been taken in accordance with an approved management programme;
 - (e) where the institution is situated outside of Guyana, it does not engage in commercial transactions in specimens:
 - (i) that are, or are derived from, native Guyana wildlife; or
 - (ii) specified in the First Schedule unless they are derived from wildlife (other than native Guyana wildlife) that were bred in captivity or artificially propagated;
 - (f) the institution:
 - (i) possesses resources and qualifications that enable the undertaking of research or investigation;
 - (ii) publishes the results of its research or investigation or otherwise makes those results available to the Authority and the public or the government of the country in which it is situated; and
 - (iii) imports or exports specimens taken in the wild only if specimens that were bred in captivity or artificially propagated cannot be used for the purposes of the research or investigation, or public education;
 - (g) the institution is suitably equipped to:
 - (i) manage, confine, care for and, where appropriate, house live specimens;
 - (ii) maintain adequate records relating to the management, breeding, mortality and disposal of specimens; and
 - (iii) produce those records when required so to do by the Authority.
 - (h) Such other factors as communicated through the decisions and resolutions of the Conference of the Parties of the Convention

- Inter-organisation transfer. 67. For the purposes of this Act, the provisions of Part IV do not apply in the case of non-commercial loans, donations and exchanges between institutions and individuals approved pursuant to Section 65, registered by the Authority, of herbarium specimens, other preserved or dried or embedded museum specimens, and live plant material which carry a label issued or approved by the Authority.
- Markings. 68. The Authority may cause any specimen which is being imported or exported to be marked with such mark or other suitable means so as to prevent the imitation thereof by any person not authorised to import or export such specimen.
- Non-application of Act to certain specimens. 69. Where in relation to any specimen that is to be exported or re-exported:
 (a) the Authority is satisfied that the specimen was acquired before the application of this Act to that specimen; and
 (b) the Authority grants a certificate, that is to say, a pre-Act certificate, to that effect,
 the provisions in respect of Schedules I, II, III or designated pursuant to Section 4(1)(d) shall not apply to that specimen.
- General Prohibition without authorisation. 70. (1) No person shall, without the prior written authorisation of the Authority, export, import, re-export, or introduce from the sea, any wildlife not listed by virtue of Section 4;
 (2) The written authorisation required in paragraph (1) shall be obtained by application to the Authority.
 (3) The Application shall be in the manner prescribed in Form E of Schedule V.
- Review of wildlife harvesting. 71 Large scale wildlife harvesting may be subject to environmental review.
- Waiver of Fees. 72. The Fees set out in Schedule IV may be waived by the Authority in the public interest.
- Commissioner General of Guyana Revenue Authority to monitor. 73. The Commissioner-General of the Guyana Revenue Authority, in consultation with the Authority, shall monitor the use of any import, export or re-export permit granted by the Authority in respect of a specimen specified in Schedules I, II, III or designated pursuant to Section 4(1)(d) or the actual import, export or re-export of such specimen.

PART XII

MISCELLANEOUS

- Regulations 74. (1) The Minister may make regulations generally for the purpose of giving effect to the provisions of this Act, and in particular but without prejudice

to the generality of the foregoing, may make regulations with respect to any of the following :

- (a) Operation of holding premises;
- (b) Exemptions and personal and household effects;
- (c) Captive breeding;
- (d) Artificial Propagation;
- (e) Ranching;
- (f) Confiscations and disposal of confiscated specimens;
- (g) Transportation; and
- (h) Such other matters as may be deemed necessary for giving effect to the intention of this Act.

SCHEDULE I
CITES Appendix I

FAUNA (ANIMALS)

PHYLUM CHORDATA

CLASS MAMMALIA (MAMMALS)

ARTIODACTYLA

Antilocapridae

Pronghorn

Antilocapra americana (only the population of Mexico; no other population is included in the Appendices)

Bovidae

Antelopes, cattle, duikers, gazelles, goats, sheep, etc

Addax nasomaculatus

Bos gaurus (excludes domesticated form, which is referenced as *Bos frontalis*, and is not subject to the provisions of the Convention)

Bos mutus (excludes domesticated form, which is referenced as *Bos grunniens*, and is not subject to the provisions of the Convention)

Bos sauveli

Bubalus depressicornis

Bubalus mindorensis

Bubalus quarlesi

Capra falconeri

Capricornis milneedwardsii

Capricornis rubidus

Capricornis sumatraenis

Capricornis thar

Cephalophus jentinki

Gazella cuvieri

Gazella leptoceros

Hippotragus niger variani

Naemorhedus baileyi

Naemorhedus caudatus

Naemorhedus goral

Naemorhedus griseus

Nanger dama

Oryx dammah

Oryx leucoryx

Ovis ammon hodgsonii

Ovis ammon nigrimontana

Ovis orientalis ophion

Ovis vignei vignei
Pantholops hodgsonii
Pseudoryx nghetinhensis

Camelidae **Guanaco, vicuna**

Vicugna vicugna (Except the populations of: Argentina (the populations of the provinces of Jujuy and Catamarca and the semi-captive populations of the Provinces of Jujuy, Salta Catamarca, La Rioja and San Juan); the Plurinational State of Bolivia (the whole population); Chile (population of the Primera Región); and Peru (the whole population); which are included in Appendix II)

Cervidae **Deer, guemals, muntjacs, pudus**

Axis calamianensis
Axis kuhlii
Axis porcinus annamiticus
Blastocerus dichotomus
Cervus elaphus hanglu
Dama dama mesopotamica
Hippocamelus spp.
Muntiacus crinifrons
Muntiacus vuquangensis
Ozotoceros bezoarticus
Pudu puda
Rucervus duvaucelii
Rucervus eldii

Moschidae **Musk deer**

Moschus spp. (Only the populations of Afghanistan, Bhutan, India, Myanmar, Nepal and Pakistan ; all other populations are included in Appendix II)

Suidae **Babirusa, pygmy hog**

Babyrousa babyrousa
Babyrousa bolabatuensis
Babyrousa celebensis
Babyrousa togeanensis
Sus salvanius

Tayassuidae **Peccaries**

Catagonus wagneri

CARNIVORA

Ailuridae **Red panda**

Ailurus fulgens

Canidae **Bush dog, foxes, wolves**

Canis lupus (only the populations of Bhutan, India, Nepal and Pakistan; all other populations are included in Appendix II; Excludes the domesticated form and the dingo which are referenced as *Canis lupus familiaris* and *Canis lupus dingo*)
Speothos venaticus

Felidae **Cats**

Acinonyx jubatus (Annual export quotas for live specimens and as hunting trophies are granted as follows: Botswana:5; Namibia: 150; Zimbabwe: 50. The trade in such specimens is subject to the provisions of Article III of the Convention)

Caracal caracal (Only the population of Asia; all other populations are included in Appendix II)

Catopuma temminckii

Felis nigripes

Leopardus geoffroyi

Leopardus jacobitus

Leopardus pardalis

Leopardus tigrinus

Leopardus wiedii

Lynx pardinus

Neofelis nebulosa

Panthera leo persica

Panthera onca

Panthera pardus

Panthera tigris

Pardofelis marmorata

Prionailurus bengalensis bengalensis (only the populations of Bangladesh, India and Thailand ; all other populations are included in Appendix II)

Prionailurus planiceps

Prionailurus rubiginosus (only the population of India; all other populations are included in Appendix II)

Puma concolor coryi

Puma concolor costaricensis

Puma concolor cougar

Puma yagouaroundi (only the populations of Central and North America; all other populations are included in Appendix II)

Uncia uncia

Lutrinae **Otters**

Aonyx capensis microdon (only the populations of Cameroon and Nigeria; all other populations are included in Appendix II)

Enhydra lutris nereis

Lontra felina

Lontra longicaudis

Lontra provocax

Lutra lutra

Lutra nippon

Pteronura brasiliensis

Mustelinae **Grisons, honey badger, martens, tayra, weasels**

Mustela nigripes

Otariidae **Fur seals, sea lions**

Arctocephalus townsendi

Phocidae **Seals**

Monachus spp.

Ursidae **Bears, giant panda**

Ailuropoda melanoleuca

Helarctos malayanus

Melursus ursinus

Tremarctos ornatus

Ursus arctos (only the populations of Bhutan, China, Mexico and Mongolia ; all other populations are included in Appendix II)

Ursus arctos isabellinus

Ursus thibetanus

Viverridae **Binturong, civets, lingsangs, otter-civet, palm civets**

Prionodon pardicolor

CETACEA Dolphins, porpoises, whales

Balaenidae Bowhead whale, right whales

Balaena mysticetus

Eubalaena spp.

Balaenopteridae Humpback whales, rorquals

Balaenoptera acutorostrata (except the population of West Greenland, which is included in Appendix II)

Balaenoptera bonaerensis

Balaenoptera borealis

Balaenoptera edeni

Balaenoptera musculus

Balaenoptera omurai

Balaenoptera physalus

Megaptera novaeangliae

Delphinidae

Dolphins

Orcaella brevirostris

Orcaella heinsohni

Sotalia spp.

Sousa spp.

Eschrichtiidae

Grey whale

Eschrichtius robustus

Iniidae

River dolphins

Lipotes vexillifer

Neobalaenidae

Pygmy right whale

Caperea marginata

Phocoenidae

Porpoises

Neophocaena phocaenoides

Phocoena sinus

Physeteridae

Sperm whales

Physeter macrocephalus

Platanistidae **River dolphins**

Platanista spp.

Ziphiidae **Beaked whales, bottle-nosed whales**

Berardius spp.

Hyperoodon spp.

CHIROPTERA

Pteropodidae **Fruit bats, flying foxes**

Acerodon jubatus

Pteropus insularis

Pteropus loochoensis

Pteropus mariannus

Pteropus molossinus

Pteropus pelewensis

Pteropus pilosus

Pteropus samoensis

Pteropus tonganus

Pteropus ualanus

Pteropus yapensis

CINGULATA

Dasypodidae **Armadillos**

Priodontes maximus

DASYUROMORPHIA

Dasyuridae **Dunnarts**

Sminthopsis longicaudata

Sminthopsis psammophila

Thylacinidae **Tasmanian wolf, thylacine**

Thylacinus cynocephalus (possibly extinct)

DIPROTODONTIA

Macropodidae **Kangaroos, wallabies**

Lagorchestes hirsutus
Lagostrophus fasciatus
Onychogalea fraenata

Potoroidae **Rat-kangaroos**

Bettongia spp.
Vombatidae **Northern hairy-nosed wombat**

Lasiorhinus krefftii

LAGOMORPHA

Leporidae **Hispid hare, volcano rabbit**

Caprolagus hispidus
Romerolagus diazi

PERAMELEMORPHIA

Peramelidae **Bandicoots, echymiperas**

Perameles bougainville

Thylacomyidae **Bilbies**

Macrotis lagotis

PERISSODACTYLA

Equidae **Horses, wild asses, zebras**

Equus africanus (excludes the domesticated form, which is referenced as *Equus asinus*, and is not subject to the provisions of the Convention)
Equus grevyi
Equus hemionus hemionus
Equus hemionus khur
Equus przewalskii
Equus zebra zebra

Rhinocerotidae **Rhinoceroses**

Rhinocerotidae spp. (except the subspecies included in Appendix II)

Tapiridae **Tapirs**

Tapiridae spp. (except the species included in Appendix II)

PRIMATES

Atelidae **Howler and prehensile-tailed monkeys**

Alouatta coibensis

Alouatta palliata

Alouatta pigra

Ateles geoffroyi frontatus

Ateles geoffroyi panamensis

Brachyteles arachnoides

Brachyteles hypoxanthus

Oreonax flavicauda

Cebidae **New World Monkeys**

Callimico goeldii

Callithrix aurita

Callithrix flaviceps

Leontopithecus spp.

Saguinus bicolor

Saguinus geoffroyi

Saguinus leucopus

Saguinus martinsi

Saguinus oedipus

Saimiri oerstedii

Cercopithecidae **Old World Monkeys**

Cercocebus galeritus

Cercopithecus diana

Cercopithecus roloway

Macaca silenus

Mandrillus leucophaeus

Mandrillus sphinx

Nasalis larvatus

Ptilocolobus kirkii

Ptilocolobus rufomitratu

Presbytis potenziani
Pygathrix spp.
Rhinopithecus spp.
Semnopithecus ajax
Semnopithecus dussumieri
Semnopithecus entellus
Semnopithecus hector
Semnopithecus hypoleucos
Semnopithecus priam
Semnopithecus schistaceus
Simias concolor
Trachypithecus geei
Trachypithecus pileatus
Trachypithecus shortridgei

Cheirogaleidae **Dwarf lemurs**

Cheirogaleidae spp.

Daubentoniidae **Aye-aye**

Daubentonia madagascariensis

Hominidae **Chimpanzees, gorilla, orang-utan**

Gorilla beringei
Gorilla gorilla
Pan spp.
Pongo abelii
Pongo pygmaeus

Hylobatidae **Gibbons**

Hylobatidae spp.

Indriidae **Avahi, indris, sifakas, woolly lemurs**

Indriidae spp.

Lemuridae **Large lemurs**

Lemuridae spp.

Lepilemuridae **Sportive lemurs**

Lepilemuridae spp.

Lorisidae **Lorises**

Nycticebus spp.

Pitheciidae **Sakis and uakaris**

Cacajao spp.

Chiropotes albinasus

PROBOSCIDEA

Elephantidae **Elephants**

Elephas maximus

Loxodonta africana (except the populations of Botswana, Namibia, South Africa and Zimbabwe, which are included in Appendix II)

RODENTIA

Chinchillidae **Chinchillas**

Chinchilla spp. (specimens of the domesticated form are not subject to the provisions of the Convention)

Muridae **Mice, rats**

Leporillus conditor

Pseudomys fieldi praeconis

Xeromys myoides

Zyzomys pedunculatus

Sciuridae **Ground squirrels, tree squirrels**

Cynomys mexicanus

SIRENIA

Dugongidae **Dugong**

Dugong dugon

Trichechidae **Manatees**

Trichechus inunguis
Trichechus manatus
Trichechus senegalensis

CLASS AVES (BIRDS)

ANSERIFORMES

Anatidae **Ducks, geese, swans etc.**

Anas aucklandica
Anas chlorotis
Anas laysanensis
Anas nesiotis
Asarcornis scutulata
Branta canadensis leucopareia
Branta sandvicensis
Rhodonessa caryophyllacea (possibly extinct)

APODIFORMES

Trochilidae **Hummingbirds**

Glaucis dohrnii

CHARADRIIFORMES

Laridae Gull

Larus relictus

Scolopacidae **Curlews, greenshanks**

Numenius borealis
Numenius tenuirostris
Tringa guttifer

CICONIIFORMES

Ciconiidae **Storks**

Ciconia boyciana
Jabiru mycteria
Mycteria cinerea

Threskiornithidae **Ibises, spoonbills**

Geronticus eremita
Nipponia nippon

COLUMBIFORMES

Columbidae **Doves, pigeons**

Caloenas nicobarica
Ducula mindorensis

CORACIIFORMES

Bucerotidae **Hornbills**

Aceros nipalensis
Buceros bicornis
Rhinoplax vigil
Rhyticeros subruficollis

FALCONIFORMES

Accipitridae **Hawks, eagles**

Aquila adalberti
Aquila heliaca
Chondrohierax uncinatus wilsonii
Haliaeetus albicilla
Harpia harpyja
Pithecophaga jefferyi

Cathartidae **New World Vultures**

Gymnogyps californianus
Vultur gryphus

Falconidae **Falcons**

Falco araeus
Falco jugger
Falco newtoni (only the population of Seychelles)
Falco pelegrinoides
Falco peregrinus
Falco punctatus
Falco rusticolus

GALLIFORMES

Cracidae

Chachalacas, currasows, guans

Crax blumenbachii

Mitu mitu

Oreophasis derbianus

Penelope albipennis

Pipile jacutinga

Pipile pipile

Megapodiidae

Megapodes, scrubfowl

Macrocephalon maleo

Phasianidae

Grouse, partridges, pheasants, tragopans

Catreus wallichii

Colinus virginianus ridgwayi

Crossoptilon crossoptilon

Crossoptilon mantchuricum

Lophophorus impejanus

Lophophorus lhuysii

Lophophorus sclateri

Lophura edwardsi

Lophura swinhoii

Polyplectron napoleonis

Rheinardia ocellata

Syrmaticus ellioti

Syrmaticus humiae

Syrmaticus mikado

Tetraogallus caspius

Tetraogallus tibetanus

Tragopan blythii

Tragopan caboti

Tragopan melanocephalus

GRUIFORMES

Gruidae

Cranes

Grus americana

Grus canadensis nesiotis

Grus canadensis pulla

Grus japonensis

Grus leucogeranus

Grus monacha
Grus nigricollis
Grus vipio

Otididae **Bustards**

Ardeotis nigriceps
Chlamydotis macqueenii
Chlamydotis undulata
Houbaropsis bengalensis

Rallidae **Rail**

Gallirallus sylvestris

Rhynochetidae **Kagu**

Rhynochetos jubatus

PASSERIFORMES

Atrichornithidae **Scrub-bird**

Atrichornis clamosus

Cotingidae **Cotingas**

Cotinga maculata
Xipholena atropurpurea

Fringillidae **Finches**

Carduelis cucullata

Hirundinidae **Martin**

Pseudochelidon sirintarae

Icteridae **Blackbird**

Xanthopsar flavus

Meliphagidae **Honeyeater**

Lichenostomus melanops cassidix

Muscicapidae

Old World Flycatchers

Dasyornis broadbenti littoralis (possibly extinct)

Dasyornis longirostris

Picathartes gymnocephalus

Picathartes oreas

Pittidae

Pittas

Pitta gurneyi

Pitta kochi

Sturnidae

Mynahs (Starlings)

Leucopsar rothschildi

Zosteropidae

White-eye

Zosterops albogularis

PELICANIFORMES

Fregatidae

Frigatebird

Fregata andrewsi

Pelecanidae

Pelican

Pelecanus crispus

Sulidae

Booby

Papasula abbotti

PICIFORMES

Picidae

Woodpeckers

Dryocopus javensis richardsi

PODICIPEDIFORMES

Podicipedidae

Grebe

Podilymbus gigas

PROCELLARIIFORMES

Diomedidae Albatross
Phoebastria albatrus

PSITTACIFORMES

Cacatuidae Cockatoos

Cacatua goffiniana
Cacatua haematuropygia
Cacatua moluccensis
Cacatua sulphurea
Probosciger aterrimus

Loriidae Lories, Lorikeets

Eos histrio
Vini ultramarina

Psittacidae Amazons, macaws, parakeets, parrots

Amazona arausiaca
Amazona auropalliata
Amazona barbadensis
Amazona brasiliensis
Amazona finschi
Amazona guildingii
Amazona imperialis
Amazona leucocephala
Amazona oratrix
Amazona pretrei
Amazona rhodocorytha
Amazona tucumana
Amazona versicolor
Amazona vinacea
Amazona viridigenalis
Amazona vittata
Anodorhynchus spp.
Ara ambiguus
Ara glaucogularis (Often traded under the incorrect designation *Ara caninde*)
Ara macao
Ara militaris
Ara rubrogenys

Cyanopsitta spixii
Cyanoramphus cookii
Cyanoramphus forbesi
Cyanoramphus novaezelandiae
Cyanoramphus sailseti
Cyclopsitta diophthalma coxeni
Eunymphicus cornutus
Guarouba guarouba
Neophema chrysogaster
Ognorhynchus icterotis
Pezoporus occidentalis
 (Possibly extinct)
Pezoporus wallicus
Pionopsitta pileata
Primolius couloni
Primolius maracana
Psephotus chrysopterygius
Psephotus dissimilis
Psittacula echo
Pyrrhura cruentata
Rhynchopsitta spp.
Strigops habroptilus

RHEIFORMES

Rheidae

Rheas

Pterocnemia pennata (except *Pterocnemia pennata pennata* which is included in Appendix II)

SPHENISCIFORMES

Spheniscidae

Penguins

Spheniscus humboldti

STRIGIFORMES

Strigidae

Owls

Heteroglaux blewitti
Mimizuku gurneyi
Ninox natalis
Ninox novaeseelandiae undulata

Tytonidae **Barn owls**

Tyto scoumagnei

STRUTHIONIFORMES

Struthionidae **Ostrich**

Struthio camelus (only the populations of Algeria, Burkina Faso, Cameroon, the Central African Republic, Chad, Mali, Mauritania, Morocco, the Niger, Nigeria, Senegal and the Sudan; all other populations are not included in the Appendices)

TINAMIFORMES

Tinamidae **Tinamous**

Tinamus solitarius

TROGONIFORMES

Trogonidae **Quetzals**

Pharomachrus mocinno

CLASS REPTILIA (REPTILES)

CROCODYLIA

Alligatoridae **Alligators, caimans**

Alligator sinensis

Caiman crocodilus apaporiensis

Caiman latirostris (except the population of Argentina, which is included in Appendix II)

Melanosuchus niger (except the populations of Brazil and Ecuador which are included in Appendix II)

Crocodylidae **Crocodiles**

Crocodylus acutus (except the population of Cuba which is included in Appendix II)

Crocodylus cataphractus

Crocodylus intermedius

Crocodylus mindorensis

Crocodylus moreletii

Crocodylus niloticus (except the populations of Botswana, Ethiopia, Kenya, Madagascar, Malawi, Mozambique, Namibia, South Africa, Uganda, the United Republic of Tanzania, Zambia and Zimbabwe, which are included in Appendix II)

Crocodylus palustris

Crocodylus porosus (except the populations of Australia, Indonesia and Papua New Guinea, which are included in Appendix II)

Crocodylus rhombifer

Crocodylus siamensis

Osteolaemus tetraspis

Tomistoma schlegelii

Gavialidae

Gaviai

Gavialis gangeticus

RHYNCHOCEPHALIA

Sphenodontidae

Tuatara

Sphenodon spp.

SAURIA

Chamaeleonidae

Chameleons

Brookesia perarmata

Helodermatidae

Beaded lizard, gila monster

Heloderma horridum charlesbogerti

Iguanidae

Iguanas

Brachylophus spp.

Cyclura spp.

Sauromalus varius

Lacertidae

Lizards

Gallotia simonyi

Varanidae

Monitor lizards

Varanus bengalensis

Varanus flavescens

Varanus griseus

Varanus komodoensis
Varanus nebulosus

SERPENTES

Boidae **Boas**
Acrantophis spp.
Boa constrictor occidentalis
Epicrates inornatus
Epicrates monensis
Epicrates subflavus
Sanzinia madagascariensis

Bolyeriidae **Round Island Boas**

Bolyeria multocarinata
Casarea dussumieri

Pythonidae **Pythons**

Python molurus molurus

Viperidae **Vipers**

Vipera ursinii (Only the population of Europe, except the area which formerly constituted the Union of Soviet Socialist Republics ; these latter populations are not included in the Appendices)

TESTUDINES

Chelidae **Austro-American side-necked turtles**

Pseudemydura umbrina

Cheloniidae **Marine turtles**

Cheloniidae spp.

Dermochelyidae **Leatherback turtle**

Dermochelys coriacea

Emydidae **Box turtles, freshwater turtles**

Glyptemys muhlenbergii
Terrapene coahuila

Geoemydidae

Box turtles, freshwater turtles

Batagur affinis
Batagur baska
Geoclemys hamiltonii
Melanochelys tricarinata
Morenia ocellata
Pangshura tecta

Testudinidae

Tortoises

Astrochelys radiata
Astrochelys yniphora
Chelonoidis nigra
Geochelone platynota
Gopherus flavomarginatus
Psammobates geometricus
Pyxis arachnoides
Pyxis planicauda
Testudo kleinmanni

Trionychidae

Softshell turtles, terrapins

Apalone spinifera atra
Chitra chitra
Chitra vandijki
Nilssonina gangeticus
Nilssonina hurum
Nilssonina nigricans

CLASS AMPHIBIA (AMPHIBIANS)

ANURA

Bufoidea

Toads

Altiphrynoides spp.
Atelopus zeteki
Incilius periglenes
Amietophrynus superciliaris
Nectophrynoides spp.
Nimbaphrynoides spp.

Microhylidae **Red rain frog, tomato frog**

Dyscophus antongilii

CAUDATA

Cryptobranchidae **Giant salamanders**

Andrias spp.

Hynobiidae **Asiatic salamanders**

Salamandridae **Newts and salamanders**

Neurergus kaiseri

CLASS ELASMOBRANCHII (SHARKS)

RAJIFORMES

Pristidae **Sawfishes**

Pristidae spp. (except the species included in Appendix II)

CLASS ACTINOPTERYGII (FISH)

ACIPENSERIFORMES

Acipenseridae **Sturgeons**

Acipenser brevirostrum
Acipenser sturio

CYPRINIFORMES

Catostomidae **Cui-ui**

Chasmistes cujus

Cyprinidae **Blind carps, plaeesok**

Probarbus jullieni

OSTEOGLOSSIFORMES

Osteoglossidae

Arapaima, bonytongue

Scleropages formosus

PERCIFORMES

Sciaenidae

Totoaba

Totoaba macdonaldi

SILURIFORMES

Pangasiidae

Pangasid catfish

Pangasianodon gigas

CLASS SARCOPTERYGII (LUNGFISHES)

COELACANTHIFORMES

Latimeriidae

Coelacanths

Latimeria spp.

PHYLUM ARTHROPODA

CLASS INSECTA (INSECTS)

LEPIDOPTERA

Papilionidae

Birdwing butterflies, swallowtail butterflies

Ornithoptera alexandrae

Papilio chikae

Papilio homerus

PHYLUM MOLLUSCA

CLASS BIVALVIA (CLAMS, MUSSELS)

UNIONOIDA

Unionidae

Freshwater mussels, pearly mussels

Conradilla caelata
Dromus dromas
Epioblasma curtisi
Epioblasma florentina
Epioblasma sampsonii
Epioblasma sulcata perobliqua
Epioblasma torulosa gubernaculum
Epioblasma torulosa torulosa
Epioblasma turgidula
Epioblasma walkeri
Fusconaia cuneolus
Fusconaia edgariana
Lampsilis higginsii
Lampsilis orbiculata orbiculata
Lampsilis satur
Lampsilis virescens
Plethobasus cicatricosus
Plethobasus cooperianus
Pleurobema plenum
Potamilus capax
Quadrula intermedia
Quadrula sparsa
Toxoplasma cylindrella
Unio nickliniana
Unio tampicoensis tecomatensis
Villosa trabalis

CLASS GASTROPODA (SNAILS AND CONCHES)

STYLOMMATOPHORA

Achatinellidae

Agate snails, oahu tree snails

Achatinella spp.

FLORA (PLANTS)

AGAVACEAE

Agaves

Agave parviflora

APOCYNACEAE

Elephant trunks, hoodias

Pachypodium ambongense

Pachypodium baronii

Pachypodium decaryi

ARAUCARIACEAE

Monkey-puzzle tree

Araucaria araucana

CACTACEAE

Cacti

Ariocarpus spp.

Astrophytum asterias

Aztekium ritteri

Coryphantha werdermannii

Discocactus spp.

Echinocereus ferreirianus ssp. *lindsayi*

Echinocereus schmollii

Escobaria minima

Escobaria sneedii

Mammillaria pectinifera

Mammillaria solisioides

Melocactus conoideus

Melocactus deinacanthus

Melocactus glaucescens

Melocactus paucispinus

Obregonia denegrii

Pachycereus militaris

Pediocactus bradyi

Pediocactus knowltonii

Pediocactus paradinei

Pediocactus peeblesianus

Pediocactus sileri

Pelecyphora spp.

Sclerocactus brevihamatus ssp. *tobuschii*

Sclerocactus erectocentrus

Sclerocactus glaucus

Sclerocactus mariposensis

Sclerocactus mesae-verdae

Sclerocactus nyensis

Sclerocactus papyracanthus
Sclerocactus pubispinus
Sclerocactus wrightiae
Strombocactus spp.
Turbinicarpus spp.
Uebelmannia spp.

COMPOSITAE (Asteraceae) Kuth

Saussurea costus

CUPRESSACEAE Alerce, cypresses

Fitzroya cupressoides
Pilgerodendron uviferum

CYCADACEAE Cycads

Cycas beddomei

EUPHORBIACEAE Spurges

Euphorbia ambovombensis
Euphorbia capsaintemariensis
Euphorbia cremersii (includes the forma *viridifolia* and the var. *rakotozafyi*)
Euphorbia cylindrifolia (includes the ssp. *tuberifera*)
Euphorbia decaryi (includes the vars. *ampanihyensis*, *robinsonii* and *spirosticha*)
Euphorbia francoisii
Euphorbia moratii (includes the vars. *antsingiensis*, *bemarahensis* and *multiflora*)
Euphorbia parvicyathophora
Euphorbia quartziticola
Euphorbia tulearensis

FOUQUIERIACEAE Ocotillos

Fouquieria fasciculata
Fouquieria purpusii

LEGUMINOSAE (Fabaceae) Afrormosia, cristobal, rosewood, sandalwood

Dalbergia nigra

LILIACEAE Aloes

Aloe albida

Aloe albiflora
Aloe alfredii
Aloe bakeri
Aloe bellatula
Aloe calcairophila
Aloe compressa (includes the vars. *paucituberculata*, *rugosquamosa* and *schistophila*)
Aloe delphinensis
Aloe descoingsii
Aloe fragilis
Aloe haworthioides (includes the var. *aurantiaca*)
Aloe helenae
Aloe laeta (includes the var. *maniaensis*)
Aloe parallelifolia
Aloe parvula
Aloe pillansii
Aloe polyphylla
Aloe rauhii
Aloe suzannae
Aloe versicolor
Aloe vossii

NEPENTHACEAE Pitcher-plants (Old World)

Nepenthes khasiana
Nepenthes rajah

ORCHIDACEAE Orchids

(For all of the following Appendix-I species, seedling or tissue cultures obtained *in vitro*, in solid or liquid media, transported in sterile containers are not subject to the provisions of the Convention)

Aerangis ellisii
Dendrobium cruentum
Laelia jongheana
Laelia lobata
Paphiopedilum spp.
Peristeria elata
Phragmipedium spp.
Renanthera imschootiana

PALMAE (Arecaceae) Palms

Chrysalidocarpus decipiens

PINACEAE Guatemala fir

Abies guatemalensis

PODOCARPACEAE Podocarps

Podocarpus parlatoresi

RUBIACEAE Ayugue

Balmea stormiae

SARRACENIACEAE Pitcher plants (New World)

Sarracenia oreophila

Sarracenia rubra ssp. *alabamensis*

Sarracenia rubra ssp. *jonesii*

STANGERIACEAE Stangerias

Stangeria eriopus

ZAMIACEAE Cycads

Ceratozamia spp.

Chigua spp.

Encephalartos spp.

Microcycas calocoma

SCHEDULE II
CITES Appendix II

(population of the Primera Región); and Peru⁴ (the whole population); which are included in Appendix III)

Cervidae **Deer, guemals, muntjacs, pudus**

Cervus elaphus bactrianus
Pudu mephistophiles

Hippopotamidae **Hippopotamuses**

Hexaprotodon liberiensis
Hippopotamus amphibius

Moschidae **Musk deer**

Moschus spp. (Except the populations of Afghanistan, Bhutan, India, Myanmar, Nepal and Pakistan, which are included in Appendix I)

Tayassuidae **Peccaries**

Tayassuidae spp. (Except the species included in Appendix I and the populations of *Pecari tajacu* of Mexico and the United States of America, which are not included in the Appendices)

CARNIVORA

³ Population of Chile (listed in Appendix II): For the exclusive purpose of allowing international trade in wool sheared from live vicunas, and in cloth and items made thereof, including luxury handicrafts and knitted articles. The reverse side of the cloth must bear the logotype adopted by the Range States of the species, which are signatories to Convenio para la Conservacion y Manejo de la Vicuna, and the seavages the works: 'VICUNA - CHILE.' Other products must bear a label including the logotype and the designation 'VICUNA- CHILE-ARTESANIA.' All other specimens shall be deemed to be specimens of species included in Appendix I and the trade in these shall be regulated accordingly.

⁴ Population of Peru (listed in Appendix II): For the exclusive purpose of allowing international trade in wool sheared from live vicunas and in the stock extant at the time of ninth meeting of the Conference of Parties (November 1994) of 3249 kg of wool, and in cloth and items made thereof, including luxury handicrafts and knitted articles. The reverse side of the cloth must bear the logotype adopted by the Range States of the species, which are signatories to Convenio para la Conservacion y Manejo de la Vicuna, and the seavages the works: 'VICUNA - PERU.' Other products must bear a label including the logotype and the designation 'VICUNA- PERU-ARTESANIA.' All other specimens shall be deemed to be specimens of species included in Appendix I and the trade in these shall be regulated accordingly

Canidae **Bush dog, foxes, wolves**

Canis lupus (Except the populations of Bhutan, India, Nepal and Pakistan, which are included in Appendix I. Excludes the domesticated form and the dingo which are referenced as *Canis lupus familiaris* and *Canis lupus dingo*)

Cerdocyon thous

Chrysocyon brachyurus

Cuon alpinus

Lycalopex culpaeus

Lycalopex fulvipes

Lycalopex griseus

Lycalopex gymnocercus

Vulpes cana

Vulpes zerda

Eupleridae **Fossa, falanouc, Malagasy civet**

Cryptoprocta ferox

Eupleres goudotii

Fossa fossana

Felidae **Cats**

Felidae spp. (Except the species included in Appendix I. Specimens of the domesticated form are not subject to the provisions of the Convention)

Mephitidae **Hog-nosed skunk**

Conepatus humboldtii

Lutrinae **Otters**

Lutrinae spp. (Except the species included in Appendix I)

Otariidae **Fur seals, sealions**

Arctocephalus spp. (Except the species included in Appendix I)

Phocidae **Seals**

Mirounga leonina

Ursidae **Bears, giant panda**

Ursidae spp. (Except the species included in Appendix I)

Viverridae

Binturong, civets, linsangs, otter-civet, palm civets

Cynogale bennettii

Hemigalus derbyanus

Prionodon linsang

CETACEA

Dolphins, porpoises, whales

CETACEA spp. (Except the species included in Appendix I. A zero annual quota has been established for live specimens from the Black Sea population of *Tursiops truncatus* removed from the wild and traded for primarily commercial purposes.)

CHIROPTERA

Pteropodidae

Fruit bats, flying foxes

Acerodon spp. (Except the species included in Appendix I)

Pteropus spp. (Except the species included in Appendix I)

CINGULATA

Dasypodidae

Armadillos

Chaetophractus nationi (A zero annual export quota has been established. All specimens shall be deemed to be specimens of species included in Appendix I and the trade in them shall be regulated accordingly)

DIPROTODONTIA

Macropodidae

Kangaroos, wallabies

Dendrolagus inustus

Dendrolagus ursinus

Phalangeridae

Cuscuses

Phalanger intercastellanus

Phalanger mimicus

Phalanger orientalis

Spilocuscus kraemeri

Spilocuscus maculatus

Spilocus papuensis

MONOTREMATA

Tachyglossidae

Echidnas, spiny anteaters

Zaglossus spp.

PERISSODACTYLA

Equidae

Horses, wild asses, zebras

Equus hemionus (Except the subspecies included in Appendix I)

Equus kiang

Equus zebra hartmannae

Rhinocerotidae

Rhinoceroses

Ceratotherium simum simum (Only the populations of South Africa and Swaziland; all other populations are included in Appendix I. For the exclusive purpose of allowing international trade in live animals to appropriate and acceptable destinations and hunting trophies. All other specimens shall be deemed to be specimens of species included in Appendix I and the trade in them shall be regulated accordingly)

Tapiridae

Tapirs

Tapirus terrestris

PHOLIDOTA

Manidae

Pangolins

Manis spp. (A zero annual quota has been established for *Manis crassicaudata*, *M. culionensis*, *M. javanica* and *M. pentactyla* for specimens removed from the wild and traded for primarily commercial purposes).

PILOSA

Bradypodidae

Three-toed sloth

Bradypus variegatus

Myrmecophagidae

American anteaters

Myrmecophaga tridactyla

PRIMATES

Apes, monkeys

PRIMATES spp. (Except the species included in Appendix I)

PROBOSCIDEA

Elephantidae

Elephants

*Loxodonta africana*⁵ (Only the populations of Botswana, Namibia, South Africa and Zimbabwe; all other populations are included in Appendix I)

⁵ Populations of Botswana, Namibia, South Africa and Zimbabwe (listed in Appendix II):

For the exclusive purpose of allowing:

- a. Trade in hunting trophies for non-commercial purposes;
- b. Trade in live animals to appropriate and acceptable destinations, as defined in Resolution Conf. 11.20 for Botswana and Zimbabwe and for in situ conservation programmes for South Africa and Namibia;
- c. Trade in hides;
- d. Trade in hair;
- e. Trade in leather goods for commercial or non-commercial purposes for Botswana, Namibia and South Africa and for non-commercial purposes for Zimbabwe;
- f. Trade in individually marked and certified ekipas incorporated in finished jewellery for non-commercial purposes for Namibia and ivory carvings for non-commercial purposes for Zimbabwe;
- g. Trade in registered raw ivory (for Botswana, Namibia, South Africa and Zimbabwe, whole tusks and pieces) subject to the following:
 - a. Only registered government owned stocks, originating in the State (excluding seized ivory and ivory of unknown origin);
 - b. Only to trading partners that have been verified by the Secretariat, in consultation with the Standing Committee, to have sufficient national legislation and domestic trade controls to ensure that the imported ivory will not be re-exported and will be managed in accordance with the requirements of Resolution Conf. 10.10 (Rev COP14) concerning domestic manufacturing and trade;
 - c. Not before the Secretariat has verified the prospective importing countries and the registered government owned stocks;
 - d. Raw ivory pursuant to the conditional sale of registered government owned ivory stocks agreed at COP12 which are 20,000kg (Botswana), 10,000kg (Namibia), and 30,000kg (South Africa);
 - e. In addition to the quantities agreed at COP12, government-owned ivory from Botswana, Namibia, South Africa and Zimbabwe registered by January 31, 2007 and verified by the Secretariat may be traded and dispatched, with the ivory in paragraph g)iv) above, in a single sale per destination under strict supervision of the Secretariat;
 - f. The proceeds of the trade are used exclusively for elephant conservation and community conservation and development programmes within or adjacent to the elephant range; and
 - g. The additional quantities specified in paragraph g)v) above shall be traded only after the Standing Committee has agreed that the above conditions have been met.
- h. No further proposals to allow trade in elephant ivory from populations already in Appendix II shall be submitted to the Conference of Parties for the period from COP14 and ending nine years from the date of the single sale of ivory that is to take place in accordance with provisions in paragraphs g)i), g)iii), g) vi) and g)vii). In addition such further proposals shall be dealt with in accordance with Decisions 14.77 and 14.78 (Rev. COP15).

On a proposal from the Secretariat, the Standing Committee can decide to cause this trade to cease partially or completely in the event of non-compliance by exporting or importing countries, or in the case of proven detrimental impacts of the trade on other elephant populations.

RODENTIA

Sciuridae **Ground squirrels, tree squirrels**

Ratufa spp.

SCANDENTIA

Tupaiaidae **Tree shrews**

SCANDENTIA spp.

**CLASS AVES
(BIRDS)**

ANSERIFORMES

Anatidae **Ducks, geese, swans, etc.**

- Anas bernieri*
- Anas formosa*
- Branta ruficollis*
- Coscoroba coscoroba*
- Cygnus melancoryphus*
- Dendrocygna arborea*
- Oxyura leucocephala*
- Sarkidiornis melanotos*

APODIFORMES

Trochilidae **Hummingbirds**

Trochilidae spp. (Except the species included in Appendix I)

CICONIIFORMES

Balaenicipitidae **Shoebill, whale-headed stork**

All other specimens shall be deemed to be specimens of species included in Appendix I and the trade in these shall be regulated accordingly.

Balaeniceps rex

Ciconiidae

Storks

Ciconia nigra

Phoenicopteridae

Flamingos

Phoenicopteridae spp.

Threskiornithidae

Ibises, spoonbills

Eudocimus ruber

Geronticus calvus

Platalea leucorodia

COLUMBIFORMES

Columbidae

Doves, pigeons

Gallicolumba luzonica

Goura spp.

CORACIIFORMES

Bucerotidae

Hornbills

Aceros spp. (Except the species included in Appendix I)

Anorrhinus spp.

Anthracoceros spp.

Berenicornis spp.

Buceros spp. (Except the species included in Appendix I)

Penelopides spp.

Rhyticeros spp. (Except the species included in Appendix I)

CUCULIFORMES

Musophagidae

Turacos

Tauraco spp.

FALCONIFORMES **Eagles, falcons, hawks, vultures**

FALCONIFORMES spp. (Except the species included in Appendices I and III and the species of the family Cathartidae)

GALLIFORMES

Phasianidae **Grouse, guineafowl, partridges, pheasants, tragopans**

Argusianus argus
Gallus sonneratii
Ithaginis cruentus
Pavo muticus
Polyplectron bicalcaratum
Polyplectron germaini
Polyplectron malacense
Polyplectron schleiermacheri
Tympanuchus cupido attwateri

GRUIFORMES

Gruidae **Cranes**

Gruidae spp. (Except the species included in Appendix I)

Otididae **Bustards**

Otididae spp. (Except the species included in Appendix I)

PASSERIFORMES

Cotingidae **Cotingas**

Rupicola spp.

Emberizidae **Cardinals, tanagers**

Gubernatrix cristata
Paroaria capitata
Paroaria coronata
Tangara fastuosa

Estrildidae **Mannikins, waxbills**

Amandava formosa
Lonchura oryzivora

Poephila cincta cincta

Fringillidae

Finches

Carduelis yarrellii

Muscicapidae

Old World flycatchers

Cyornis ruckii

Garrulax canorus

Garrulax taewanus

Leiothrix argentauris

Leiothrix lutea

Liocichla omeiensis

Paradisaeidae

Birds of paradise

Paradisaeidae spp.

Pittidae

Pittas

Pitta guajana

Pitta nympha

Pycnonotidae

Bulbul

Pycnonotus zeylanicus

Sturnidae

Mynahs (Starlings)

Gracula religiosa

PICIFORMES

Ramphastidae

Toucans

Pteroglossus aracari

Pteroglossus viridis

Ramphastos sulfuratus

Ramphastos toco

Ramphastos tucanus

Ramphastos vitellinus

PSITTACIFORMES

PSITTACIFORMES spp. (Except the species included in Appendix I and *Agapornis roseicollis*, *Melopsittacus undulatus*, *Nymphicus hollandicus* and *Psittacula krameri*, which are not included in the Appendices)

RHEIFORMES

Rheidae **Rheas**

Pterocnemia pennata pennata
Rhea americana

SPHENISCIFORMES

Spheniscidae **Penguins**

Spheniscus demersus

STRIGIFORMES **Owls**

STRIGIFORMES spp. (Except the species included in Appendix I)

CLASS REPTILIA (REPTILES)

CROCODYLIA **Alligators, caimans, crocodiles**

CROCODYLIA spp. (Except the species included in Appendix I)

SAURIA

Agamidae **Agamas, mastigures**

Saara spp.
Uromastyx spp

Chaemaeleonidae **Chameleons**

Archaius spp.
Bradypodion spp.
Brookesia spp. (Except the species included in Appendix I)
Calumma spp.

Chamaeleo spp.
Furcifer spp.
Kinyongia spp.
Nadzikambia spp.

Cordylidae **Spiny-tailed lizards**

Cordylus spp.

Gekkonidae **Geckos**

Nactus serpensinsula
Phelsuma spp.
Uroplatus spp.

Helodermatidae **Beaded lizard, gila monster**

Heloderma spp. (Except the subspecies included in Appendix I)

Iguanidae **Iguanas**

Amblyrhynchus cristatus
Conolophus spp.
Ctenosaura bakeri
Ctenosaura oedirhina
Ctenosaura melanosterna
Ctenosaura palearis
Iguana spp.
Phrynosoma blainvillii
Phrynosoma cerroense
Phrynosoma coronatum
Phrynosoma wigginsi

Lacertidae **Lizards**

Podarcis lilfordi
Podarcis pityusensis

Scincidae **Skinks**

Corucia zebrata

Teiidae **Caiman lizards, tegu lizards**

Crocodylurus amazonicus
Dracaena spp.

Tupinambis spp.

Varanidae **Monitor lizards**

Varanus spp. (Except the species included in Appendix I)

Xenosauridae **Chinese crocodile lizard**

Shinisaurus crocodilurus

SERPENTES **Snakes**

Boidae **Boas**

Boidae spp. (Except the species included in Appendix I)

Bolyeriidae **Round Island boas**

Bolyeriidae spp. (Except the species included in Appendix I)

Colubridae **Typical snakes, water snakes, whipsnakes**

Clelia clelia

Cyclagras gigas

Elachistodon westermanni

Ptyas mucosus

Elapidae **Cobras, coral snakes**

Hoplocephalus bungaroides

Naja atra

Naja kaouthia

Naja mandalayensis

Naja naja

Naja oxiana

Naja philippensis

Naja sagittifera

Naja samarensis

Naja siamensis

Naja sputatrix

Naja sumatrana

Ophiphagus hannah

Loxocemidae **Mexican dwarf boa**

Loxocemidae spp.

Pythonidae

Pythons

Pythonidae spp. (Except the subspecies included in Appendix I)

Tropidophiidae

Wood boas

Tropidophiidae spp.

Viperidae

Vipers

Vipera wagneri

TESTUDINES

Carettochelyidae

Pig-nosed turtles

Carettochelys insculpta

Chelidae

Austro-American side-necked turtles

Chelodina mccordi

Dermatemydidae

Central American river turtle

Dermatemys mawii

Emydidae

Box turtles, freshwater turtles

Clemmys guttata

Emydoidea blandingii

Glyptemys insculpta

Terrapene spp. (Except the species included in Schedule I)

Geoemydidae

Box turtles, freshwater turtles

Batagur spp. (Except the species included in Appendix I)

Cuora spp.

Callagur borneoensis

Cuora spp.

Geoemyda spengleri

Hardella thurjii
Heosemys annandalii
Heosemys depressa
Heosemys grandis
Heosemys spinosa
Kachuga spp.
Leucocephalon yuwonoi
Malayemys macrocephala
Malayemys subtrijuga
Mauremys annamensis
Mauremys annamensis
Mauremys japonica
Mauremys mutica
Melanochelys trijuga
Morenia petersi
Notochelys platynota
Orlitia borneensis
Pangshura spp. (Except the species included in Appendix I)
Sacalia bealei
Sacalia quadriocellata
Siebenrockiella crassicollis
Siebenrockiella leytenis
Vijayachelys silvatica

Platysternidae **Big-headed turtle**

Platysternon megacephalum

Podocnemididae **Afro-American side-necked turtles**

Erymnochelys madagascariensis
Peltocephalus dumerilianus
Podocnemis spp.

Testudinidae **Tortoises**

Testudinidae spp. (Except the species included in Schedule I. A zero annual export quota has been established for *Geochelone sulcata* for specimens removed from the wild and traded for primarily commercial purposes)

Trionychidae **Softshell turtles, terrapins**

Chitra spp. (Except the species included in Schedule I)

Dogania subplana
Lissemys ceylonensis
Lissemys punctata
Lissemys scutata
Nilssonina formosa
Nilssonina le Palea steindachneri
Pelochelys spp.
Pelodiscus axenaria
Pelodiscus maackii
Pelodiscus parviformis
Rafetus swinhoei ithii

**CLASS AMPHIBIA
(AMPHIBIANS)**

ANURA

Dendrobatidae

Poison frogs

Allobates femoralis
Allobates hodli
Allobates myersi
Allobates rufulus
Allobates zaparo

Dendrobatidae

Poison frogs

Adelphobates spp.
Ameerega spp.
Andinobates spp.
Dendrobates spp.
Epipedobates spp.
Excidobates spp.
Hyalobates azureiventris
Miryobates spp.
Oophaga spp.
Phyllobates spp.
Ranitomeya spp.

Dicroglossidae

Frogs

Euphlyctis hexadactylus

Hoplomatrus tigrinus

Microhylidae

Tree frogs

Agalychnis spp.

Mantellidae

Mantellas

Mantella spp.

Microhylidae

Red rain frog, tomato frog

Scaphiophryne gottlebei

Myobatrachidae

Gastric-brooding frogs

Rheobatrachus spp.

CAUDATA

Ambystomatidae

Axolotls

Ambystoma dumerilii

Ambystoma mexicanum

CLASS ELASMOBRANCHII (SHARKS)

CARCHARHINIFORMES

Carcharhinidae

Requiem sharks

Carcharhinus longimanus (Entry into effect 14 September 2014)

Sphyrnidae

Hammerhead sharks

Sphyrna lewini (Entry into effect 14 September 2014)

Sphyrna mokarran (Entry into effect 14 September 2014)

Sphyrna zygaena (Entry into effect 14 September 2014)

LAMNIFORMES

Cetorhinidae

Basking shark

Cetorhinus maximus

Lamnidae

Mackerel sharks

Carcharodon carcharias

Lamna nasus (Entry into effect 14 September 2014)

ORECTOLOBIFORMES

Rhincodontidae

Whale shark

Rhincodon typus

RAJIFORMES

Pristidae

Sawfishes

Mobulidae Mobulid rays

Manta spp. (Entry into effect 14 September 2014)

CLASS ACTINOPTERYGII (FISHES)

ACIPENSERIFORMES

Paddlefishes, sturgeons

ACIPENSERIFORMES spp. (Except the species included in Appendix I)

ANGUILLIFORMES

Anguillidae

Freshwater eels

Anguilla anguilla (Entry into force delayed 18 months, i.e. until 13 March 2009)

CYPRINIFORMES

Cyprinidae **Blind carps, plaeesok**

Caecobarbus geertsi

OSTEOGLOSSIFORMES

Osteoglossidae **Arapaima, bonytongue**

Arapaima gigas

PERCIFORMES

Labridae **Wrasses**

Cheilinus undulatus

SYNGNATHIFORMES

Syngnathidae **Pipefishes, seahorses**

Hippocampus spp.

**CLASS SARCOPTERYGII
(LUNGFISHES)**

CERATODONTIFORMES

Ceratodontidae ***Australian lungfish***

Neoceratodus forsteri

PHYLUM ARTHROPODA

CLASS ARACHNIDA (SCORPIONS AND SPIDERS)

ARANEAE

Theraphosidae **Red-kneed tarantulas, tarantulas**

Aphonopelma albiceps
Aphonopelma pallidum
Brachypelma spp.

SCORPIONES

Scorpionidae

Scorpions

Pandinus dictator
Pandinus gambiensis
Pandinus imperator

CLASS INSECTA (INSECTS)

Scarabaeidae

Scarab beetles

Dynates satanas

LEPIDOPTERA

Papilionidae

Birdwing butterflies, swallowtail butterflies

Atrophaneura jophon
Atrophaneura pandiyana
Bhutanitis spp.
Ornithoptera spp. (Except the species included in Appendix I)
Papilio hospiton
Parnassius apollo
Teinopalpus spp.
Trogonoptera spp.
Troides spp.

PHYLUM ANNELIDA

CLASS HIRUDINOIDEA (LEECHES)

ARHYNCHORHDELLIDA

Hirudinidea Medicinal Leech

Hirudo medicinalis
Hirudo verbana

PHYLUM MOLLUSCA

CLASS BIVALVIA (CLAMS AND MUSSELS)

MYTILOIDA

Mytilidae Marine mussels

Lithophaga lithophaga

UNIONOIDA

Unionidae Freshwater mussels, pearly mussels

Cyprogenia aberti
Epioblasma torulosa rangiana
Pleurobema clava

VENEROIDA

Tridacnidae Giant clams

Tridacnidae spp.

CLASS GASTROPODA (SNAILS AND CONCHES)

MESOGASTROPODA

Strombidae Queen conch

Strombus gigas

STYLOMMATOPHORA

Camaenidae

Green tree snail

Papustyla pulcherrima

PHYLUM CNIDARIA

CLASS ANTHOZOA (CORALS, SEA ANEMONES)

ANTIPATHARIA

Black corals

ANTIPATHARIA spp.

HELIOPORACEA

Helioporidae

Blue corals

Helioporidae spp. (Includes only the species *Heliopora coerulea*. Fossils are not subject to the provisions of the Convention)

SCLERACTINIA

Stony corals

SCLERACTINIA spp. (Fossils are not subject to the provisions of the Convention)

STOLONIFERA

Tubiporidae

Organ-pipe corals

Tubiporidae spp. (Fossils are not subject to the provisions of the Convention)

CLASS HYDROZOA (SEA FERNS, FIRE CORALS, STINGING MEDUSA)

MILLEPORINA

Milleporidae

Fire corals

Milleporidae spp. (Fossils are not subject to the provisions of the Convention)

STYLASTERINA

Stylasteridae

Lace corals

Stylasteridae spp. (Fossils are not subject to the provisions of the Convention)

FLORA (PLANTS)

AGAVACEAE Agaves

Agave victoriae-reginae #1
Nolina interrata
Yucca queretaroensis

AMARYLLIDACEAE Snowdrops, sternbergias

Galanthus spp. #1
Sternbergia spp #1

ANACARDIACEAE Cashews

Operculicarya decaryi
Operculicarya hyphaenoides
Operculicarya pachypus

APOCYNACEAE Elephant trunks, hoodias

Hoodia spp. #9
Pachypodium spp.#1 (Except the species included in Appendix1)
Rauvolfia serpentina #2

ARALIACEAE Ginseng

Panax ginseng #3 (Only the population of the Russian Federation; no other population in included in the appendices)
Panax quinquefolius #3

BERBERIDACEAE May-apple

Podophyllum hexandrum #2

BROMELIACEAE Air plants, bromelias

Tillandsia harrisii #4
Tillandsia kammii #4
Tillandsia mauryana #4
Tillandsia xerographica #

CACTACEAE Cacti

CATACEAE spp⁶. #4 (Except the species included in Appendix I and except *Pereskia* spp., *Pereskopsis* spp. and *Quiabentia* spp.)

CARYOCARACEAE Ajo

Caryocar costaricense #1

CUCURBITACEAE Melons, gourds, cucurbits

Zygosicyos pubescens
Zygosicyos tripartitus

CRASSULACEAE Dudleyas

Duleya stolonifera
Dudleya traskiae

CYATHEACEAE Tree ferns

Cyathea spp. #1

CYCADACEAE Cycads

⁶ Artificially propagated specimens of the following hybrids and/or cultivars are not subject to the provisions of the Convention:

- *Hatiora x graeseri*
- *Schlumbergera x buckleyi*
- *Schlumbergera russelliana x Schlumbergera truncata*
- *Schlumbergera orssichiana x Schlumbergera truncata*
- *Schlumbergera opuntoides x Schlumbergera truncata*
- *Schlumbergera truncata* (cultivars)
- Cactaceae spp. colour mutants grafted on the following grafting stocks: *Harrisia* 'Jusbertii', *Hylocereus trigonus* or *Hylocereus undatus*
- *Opuntia microdasys* (cultivars)

CYCADACEAE spp. #1 (Except the species included in appendix I)

DICKSONIACEAE **Tree Ferns**

Cibotium barmetz #1

Dickson spp.#1 (Only the populations of the Americas; no other population is included in the appendices)

DIDIEREACEAE **Alluaudias, didiereas**

DIDIEREACEAE spp. #1

DIOSCOREACEAE **Elephant's foot, kniss**

Dioscorea deltoidea #1

DROSERACEAE **Venus' flytrap**

Dionaea muscipula #1

EUPHORBIACEAE **Spurges**

Euphorbia spp. #1 (Succulent species only except the species included in Appendix I. Artificially propagated specimens of cultivars of *Euphorbia trigona*, artificially propagated specimens of crested, fan-shaped or colour mutants of *Euphorbia lactea*, when grafted on artificially propagated root stock of *Euphorbia neriifolia*, and artificially propagated specimens of cultivars of *Euphorbia 'Mili'* when they are traded in shipments of 100 or more plants and readily recognizable as artificially propagated specimens, are not subject to the provisions of the Convention)

FOUQUIERIACEAE **Ocotillos**

Fouquieria columnaris #1

JULANDACEAE **Gavilan**

Oreomunnea pterocarpa

LAURACEAE **Laurels**

Aniba rosaeodora#12

LEGUMI NOSAE (Fabaceae)**Afrormosia, cristobal, rosewood, sandalwood**

Caesalpinia echinata#10
Dalbergia spp. #5(Populations of Madagascar)
Dalbergia cochinchinensis
Dalbergia granadillo#6
Dalbergia retusa#6
Dalbergia stevensonii#6
Pericopsis elata #5
Platymiscium pleiostachyum #4
Pterocarpus santalinus #7
Senna meridionalis

LILIACEAE Aloes

Aloe spp. #1(Except the species included in Appendix I. Also excludes *Aloe vera*, also referenced as *Aloe barbadensis* which is not included in the Appendices)

MELIACEAE Mahoganies, West Indian cedar

Swietenia humilis #1
Swietenia macrophylla #6 (Populations of the Neotropics)
Swietenia mahagoni #5

NEPENTHACEAE Pitcher-plants (Old World)

Nepenthes spp. #1(Except the Species included in Appendix I)

ORCHIDACEAE Orchids

ORCHIDACEAE spp⁷. #4 (Except the species included in Appendix I)

⁷ Artificially propagated hybrids of the following genera are not subject to the provisions of the Convention, if conditions, as indicated under a) and b) are met: *Cymbidium*, *Dendrobium*, *Phalaenopsis* and *Vanda*:

- a. Specimens are readily recognizable as artificially propagated and do not show any signs of having been collected in the wild such as mechanical damage or strong dehydration resulting from collection, irregular growth and heterogeneous size and shape within a taxon and shipment, algae or other epiphyllous organisms adhering to leaves, or damage by insects or other pests; and
- i. when shipped in non-flowering state, the specimens must be traded in shipments consisting of individual containers (such as cartons, boxes, crates or individual shelves of CC-containers) each containing 20 or more plants of the same hybrid; the plants within each container must exhibit a high degree of uniformity and healthiness; and the shipment must be accompanied by documentation, such as invoice, which clearly states the number of plants of each hybrid; or
- ii. when shipped in flowering state, with at least one fully open flower per specimen, no minimum number of specimens per shipment is required but specimens must be professionally processed for

ORBANCHACEAE **Broomrape**

Cistanche deserticola #1

PALMAE (Arecaceae) **Palms**

Beccariophoenix madagascariensis #1

Lemurophoenix halleuxii

Marojejya darianii

Neodypsis decaryi #1

Ravenea louvelli

Ravenea rivularis

Satranala decussilvae

Voanioala gerardii

PASSIFLORACEAE **Passion-flowers**

Adenia fringalavensis

Adenia olaboensis

Adenia subsessilifolia

PEDALIACEAE **Sesames**

Uncarina grandidieri

Uncarina stellulifera

PORTULACACEAE **Lewisias, Portulacas, Purlanes**

Anacampseros spp. #1

Avonia spp. #1

Lewisia serrata #1

PRIMULACEAE

commercial retail sale e.g. labeled with printed packages indicating the name of the hybrid and the country of final processing. This would be clearly visible and allow easy verification. Plants not clearly qualifying for the exemption must be accompanied by appropriate CITES documents.

Cyclamen spp⁸. #1

RANUNCULACEAE

Golden seals, yellow Adonis, yellow root

Adonis vernalis #2

Hydrastis Canadensis #8

ROSACEAE

African cherry, stinkwood

Prunus africana #1

SANTALACEAE

Sandalwoods

Osyris lanceolata #2 (Populations of Burundi, Ethiopia, Kenya, Rwanda, Uganda and the United Republic of Tanzania)

SARRACENIACEAE

Pitcher-plants (New World)

Sarracenia spp. #4 (Except the species included in Appendix I)

SCROPHULARIACEAE

Kutki

Picrorhiza kurrooa #2 (Excludes *Picrorhiza scrophulariiflora*)

STANGERIACEAE

Stangerias

Bowenia spp.#4

TAXACEAE

Himalayan yew

Taxus chinensis and infraspecific taxa of this species #2

Taxus cuspidata and infraspecific taxa of this species⁹ #2

Taxus fuana and infraspecific taxa of this species #2

Taxus sumatrana and infraspecific taxa of this species #2

⁸ Artificially propagated specimens of cultivars of *Cyclamen persicum* are not subject to the provisions of the Convention. However, the exemption does not apply to such specimens traded as dormant tubers.

⁹ Artificially propagated hybrids and cultivars of *Taxus cuspidata* live, in pots or other small containers, each consignment being accompanied by a label or document stating the name of the taxon or taxa and the text 'artificially propagated', are not subject to the provisions of the Convention.

Taxus wallichiana #2

THYMELAEACEAE (Aquilariaceae) **Agarwood, ramin**

Aquilaria spp. #4
Gonystylus spp. #4
Gyrinops spp. #4

VALERIANACEAE **Himalayan spikenard**

Nardostachys grandiflora #2

VITACEAE **Grapes**

Cyphostemma elephantopus
Cyphostemma montagnacii
Cyphostemma laza

WELWITSCHIAEAE **Welwitschia**

Welwitschia mirabilis #4

ZAMIACEAE **Cycads**

ZAMIACEAE spp #1(Except the species included in Appendix I)

ZINGIBERACEAE **Ginger Lily**

Hedychium Philippinense #4

ZYGOPHYLLACEAE **Lignum-vitae**

Guaiaacum spp.#2
Bulnesia sarmientoi #11

#1: All parts and derivatives, except:

- a) Seeds, spores and pollen (including pollinia);
- b) Seedling or tissue cultures obtained *in vitro*, in solid or liquid media, transported in sterile containers;
- c) Cut flowers of artificially propagated plants; and

- d) Fruits and parts and derivatives thereof of artificially propagated plants of the genus *Vanilla*.

#2: All parts and derivatives except:

- a) Seeds and pollen; and
- b) Finished products packaged and ready for retail trade.

#3: Whole and sliced roots and parts of roots.

#4: All parts and derivatives except:

- a) Seeds, (including seedpods of Orchidaceae), spores and pollen (including pollinia). The exemption does not apply to seeds from Cactaceae spp. exported from Mexico, and to seeds from *Beccariophoenix madagascariensis* and *Neodypsis decaryi* exported from Madagascar;
- b) Seedlings or tissue cultures obtained *in vitro*, in solid or liquid media, transported in sterile containers;
- c) Cut flowers of artificially propagated plants;
- d) Fruits and parts and derivatives thereof of naturalized or artificially propagated plants of the genus *Vanilla* (Orchidaceae) and of the family Cactaceae.
- e) Stems, flowers, and parts and derivatives thereof, of naturalized or artificially propagated plants of the genera *Opuntia* subgenus *Opuntia* and *Selenicereus* (Cactaceae);
- f) Finished products of *Euphorbia antisiphilitica* packaged and ready for retail trade.

#5: Logs, sawn wood and veneer sheets.

#6: Logs, sawn wood, veneer sheets and plywood.

#7: Logs, wood-chips, powder and extracts.

#8: Underground parts (i.e. roots, rhizomes): whole, parts and powdered.

#9: All parts and derivatives except those bearing a label "Produced from Hoodia spp. material obtained through controlled harvesting and production in collaboration with the CITES Management Authorities of Botswana/Namibia/South Africa under agreement no. BW/NA/ZA xxxxxx."

#10: Logs, sawn wood, veneer sheets, including unfinished wood articles used for the fabrication of bows for stringed musical instruments.

#11: Logs, sawn wood, veneer sheets, plywood, powder and extracts.

#12: Logs, sawn wood, veneer sheets, plywood and essential oil (excluding finished products packaged and ready for retail trade).

#13: The kernel (also known as 'endosperm', 'pulp' or 'copra') and any derivative thereof.

SCHEDULE III
CITES Appendix III

FAUNA (ANIMALS)

PHYLUM CHORDATA

CLASS MAMMALIA (MAMMALS)

ARTIODACTYLA

Bovidae **Antelopes, cattle, duikers, gazelles, goats, sheep, etc**

<i>Antilope cervicapra</i>	Nepal
<i>Bubalus arnee</i>	Nepal (excludes the
domesticated form, which is referenced as <i>Bubalus bubalis</i>)	
<i>Gazella dorcas</i>	Algeria, Tunisia
<i>Tetracerus quadricornis</i>	Nepal

Cervidae **Deer, guemals, muntjacs, pudus**

<i>Cervus elaphus barbarus</i>	Algeria, Tunisia
<i>Mazama temama cerasina</i>	Guatemala
<i>Odocoileus virginianus mayensis</i>	Guatemala

CARNIVORA

Canidae **Bush dog, foxes, wolves**

<i>Canis aureus</i>	India
<i>Vulpes bengalensis</i>	India
<i>Vulpes vulpes griffithi</i>	India
<i>Vulpes vulpes montana</i>	India
<i>Vulpes vulpes pusilla</i>	India

Herpestidae **Mongoose**

<i>Herpestes edwardsi</i>	India
<i>Herpestes fuscus</i>	India
<i>Herpestes javanicus auropunctatus</i>	India
<i>Herpestes smithii</i>	India
<i>Herpestes urva</i>	India
<i>Herpestes vitticollis</i>	India

Hyanidae **Aardwolf**

Proteles cristata

Botswana

Mustelinae **Grisons, honey badger, martens, tayra, weasels**

Eira barbara

Honduras

Galictis vittata

Costa Rica

Martes flavigula

India

Martes foina intermedia

India

Martes gwatkinsii

India

Mellivora capensis

Botswana

Mustela altaica

India

Mustela erminea ferghanae

India

Mustela kathiah

India

Mustela sibirica

India

Odobenidae **Walrus**

Odobenus rosmarus

Canada

Procyonidae **Coatis, kinkajou, olingos**

Bassaricyon gabbii

Costa Rica

Bassariscus sumichrasti

Costa Rica

Nasua narica

Honduras

Nasua nasua solitaria

Uruguay

Potos flavus

Honduras

Viverridae **Binturong, civets, lingsangs, otter-civet, palm civets**

Arctictis binturong

India

Civettictis civetta

Botswana

Paguma larvata

India

Paradoxurus hermaphroditus

India

Paradoxurus jerdoni

India

Viverra civettina

India

Viverra zibetha

India

Viverricula indica

India

CHIROPTERA

Phyllostomidae **Broad-nosed bat**

Platyrrhinus lineatus

Uruguay

CINGULATA

Dasypodidae **Armadillos**

Cabassous centralis

Costa Rica

Cabassous tatouay

Uruguay

PILOSA

Megalonychidae **Two-toed sloth**

Choloepus hoffmanni

Costa Rica

Myrmecophagidae **American anteaters**

Tamandua mexicana

Guatemala

RODENTIA

Cuniculidae **Paca**

Cuniculus paca

Honduras

Dasyproctidae **Agouti**

Dasyprocta punctata

Honduras

Erethizontidae **New World porcupines**

Sphiggurus mexicanus

Honduras

Sphiggurus spinosus

Uruguay

Sciuridae **Ground squirrels, tree squirrels**

Marmota caudata

India

Marmota himalayana

India

Sciurus deppei

Costa Rica

CLASS AVES (BIRDS)

ANSERIFORMES

Anatidae Ducks, geese, swans etc.

Cairina moschata Honduras
Dendrocygna autumnalis Honduras
Dendrocygna bicolor Honduras

CHARADRIIFORMES

Burhinidae Thick-knee

Burhinus bistriatus Guatemala

COLUMBIFORMES

Columbidae Doves, pigeons

Nesoenas mayeri Mauritius

FALCONIFORMES

Cathartidae New World Vultures

Sarcoramphus papa Honduras

GALLIFORMES

Cracidae Chachalacas, currasows, guans

Crax alberti Colombia
Crax daubentoni Colombia
Crax globulosa Colombia
Crax rubra Colombia, Costa Rica,
Guatemala, Honduras
Ortalis vetula Guatemala, Honduras
Pauxi pauxi Colombia
Penelope purpurascens Honduras
Penelopina nigra Guatemala

Phasianidae **Grouse, guineafowl, partridges, pheasants, tragopans**

Meleagris ocellata
Tragopan satyra

Guatemala
Nepal

PASSERIFORMES

Cotingidae **Cotingas**

Cephalopterus ornatus
Cephalopterus penduliger

Colombia
Colombia

Muscicapidae **Old World Flycatchers**

Acrocephalus rodericanus
Terpsiphone bourbonensis

Mauritius
Mauritius

PICIFORMES

Capitonidae **Barbet**

Semnornis ramphastinus

Colombia

Ramphastidae **Toucans**

Bailloniuss bailloni
Pteroglossus castanotis
Ramphastos dicolorus
Selenidera maculirostris

Argentina
Argentina
Argentina
Argentina

CLASS REPTILIA (REPTILES)

SAURIA

Gekkonidae **Geckos**

Hoplodactylus spp.

New Zealand
New Zealand

SERPENTES

Colubridae **Typical snakes, water snakes, whipsnakes**

<i>Atretium schistosum</i>	India
<i>Cerberus rynchops</i>	India
<i>Xenochrophis piscator</i>	India

Elapidae Cobras, coral snakes

<i>Micrurus diastema</i>	Honduras
<i>Micrurus nigrocinctus</i>	Honduras

Viperidae Vipers

<i>Crotalus durissus</i>	Honduras
<i>Daboia russellii</i>	India

TESTUDINES

Chelydridae Snapping turtles

<i>Macrochelys temminckii</i>	United States of America
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Emydidae Box turtles, freshwater turtles

<i>Graptemys</i> spp.	United States of America
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Geoemydidae Box turtles, freshwater turtles

	China	
<i>Mauremys iversoni</i>		China
<i>Mauremys megalocephala</i>		China
		China
<i>Mauremys pritchardi</i>		China
<i>Mauremys reevesii</i>		China
<i>Mauremys sinensis</i>		China
<i>Ocadia glyphistoma</i>		China
<i>Ocadia philippeni</i>		China
		China
<i>Sacalia pseudocellata</i>		China
	China	

PHYLUM AMPHIBIA
CLASS AMPHIBIANS

- Calyptocephalellidae Chilean toads
Calyptocephalella gayi (Chile)
Cryptobranchidae Hellbender and giant salamanders
Cryptobranchus alleganiensis (United States of America)
Hynobiidae Asiatic salamanders
Hynobius amjiensis (China)

CLASS ELASMOBRANCHII
(SHARKS)

CARCHARHINIFORMES

- Sphyrnidae Hammerhead sharks
Sphyrna lewini (Costa Rica)
(Until 14 September 2014)

LAMNIFORMES

- Lamnidae Mackerel sharks

Lamna nasus
(Belgium, Cyprus, Denmark, Estonia, Finland, France, Germany, Greece, Ireland,
Italy, Latvia, Lithuania, Malta, Netherlands, Poland, Portugal, Slovenia, Spain, Sweden
and United Kingdom of Great Britain and Northern Ireland)
(Until 14 September 2014)

ORECTOLOBIFORMES

PHYLUM ECHINODERMATA

CLASS HOLOTHUROIDEA (SEA CUCUMBERS)

ASPIDOCHIROTIDA

Stichopodidae

Sea cucumbers

Isostichopus fuscus

Ecuador

PHYLUM ARTHROPODA

CLASS INSECTA (INSECTS)

COLEOPTERA

Lucanidae

Cape stag beetles

Colophon spp.

South Africa

LEPIDOPTERA

Nymphalidae

Brush-footed butterflies

Agrias amydon boliviensis

Plurinational State of Bolivia

Morpho godartii lachaumei

Plurinational State of Bolivia

Prepona praeneste buckleyana

Plurinational State of Bolivia

PHYLUM CNIDARIA

CLASS ANTHOZOA (CORALS, SEA ANEMONES)

GORGONACEAE

Coralliidae

Corallium elatius

China

Corallium japonicum

China

Corallium konjoi

China

Corallium secundum

China

FLORA (PLANTS)

GNETACEAE **Gnetums**

Gnetum montanum #1 Nepal

LEGUMINOSAE (Fabaceae) **Afrormosia, cristobal, rosewood, sandalwood**

Dalbergia darienensis #2 [population of Panama (Panama)] *Dalbergia retusa* #5
(population of Guatemala) Guatemala
Guatemala

Dipteryx panamensis Costa Rica, Nicaragua

MAGNOLIACEAE **Magnolia**

Magnolia liliifera var. *obovata* #1 Nepal

MELIACEAE **Mahoganies, West Indian Cedar**

Cedrela fissilis #5 Plurinational State of Bolivia
Cedrela lilloi #5 Plurinational State of Bolivia
Cedrela odorata #5 (populations of Colombia, Guatemala and Peru) Colombia, Guatemala
Peru, Brazil and the Plurinational
State of Bolivia

PALMAE (Arecaceae) **Palms**

Lodoicea maldivica #13 Seychelles

PAPAVERACEAE **Poppy**

Meconopsis regia #1 Nepal

PINACEAE **Pine**

Pinus koraiensis #5 Russian Federation

PAPAVERACEAE **Poppy**

Meconopsis regia #1 Nepal

PODOCARPACEAE **Podocarps**

Podocarpus nerifolius #1 Nepal

THROCHODENDRACEAE (Tetracentraceae) Tetracentron

Tetracentron sinense #1

Nepal

ZYGOPHYLLACEAE Lignum-vitae

#1: All parts and derivatives, except:

- e) Seeds, spores and pollen (including pollinia);
- f) Seedling or tissue cultures obtained *in vitro*, in solid or liquid media, transported in sterile containers;
- g) Cut flowers of artificially propagated plants; and
- h) Fruits and parts and derivatives thereof of artificially propagated plants of the genus *Vanilla*.

#2: All parts and derivatives except:

- c) Seeds and pollen; and
- d) Finished products packaged and ready for retail trade.

#3: Whole and sliced roots and parts of roots.

#4: All parts and derivatives except:

- g) Seeds, (including seedpods of Orchidaceae), spores and pollen (including pollinia). The exemption does not apply to seeds from Cactaceae spp. exported from Mexico, and to seeds from *Beccariophoenix madagascariensis* and *Neodypsis decaryi* exported from Madagascar;
- h) Seedlings or tissue cultures obtained *in vitro*, in solid or liquid media, transported in sterile containers;
- i) Cut flowers of artificially propagated plants;
- j) Fruits and parts and derivatives thereof of naturalized or artificially propagated plants of the genus *Vanilla* (Orchidaceae) and of the family Cactaceae.
- k) Stems, flowers, and parts and derivatives thereof, of naturalized or artificially propagated plants of the genera *Opuntia* subgenus *Opuntia* and *Selenicereus* (Cactaceae);
- l) Finished products of *Euphorbia antisyphilitica* packaged and ready for retail trade.

#5: Logs, sawn wood and veneer sheets.

#6: Logs, sawn wood, veneer sheets and plywood.

#7: Logs, wood-chips, powder and extracts.

#8: Underground parts (i.e. roots, rhizomes): whole, parts and powdered.

#9: All parts and derivatives except those bearing a label "Produced from Hoodia spp. material obtained through controlled harvesting and production in collaboration with the CITES Management Authorities of Botswana/Namibia/South Africa under agreement no. BW/NA/ZA xxxxxx."

#10: Logs, sawn wood, veneer sheets, including unfinished wood articles used for the fabrication of bows for stringed musical instruments.

#11: Logs, sawn wood, veneer sheets, plywood, powder and extracts.

#12: Logs, sawn wood, veneer sheets, plywood and essential oil (excluding finished products packaged and ready for retail trade).

#13: The kernel (also known as 'endosperm', 'pulp' or 'copra') and any derivative thereof.

SCHEDULE IV

Fees for Applications, Permits, Certificates and Licences

Permits			
1.	For an Import Permit	-	\$1,000.00
2.	For an Export Permit	-	\$1,000.00
3.	For a Re-export Permit	-	\$1,000.00
Certificates			
1.	For a certificate of introduction from the sea	-	\$1,000.00
2.	For a certificate of captive breeding	-	\$1,000.00
3.	For a certificate of artificial propagation	-	\$1,000.00
4.	For a pre-Act certificate	-	\$ 1,000.00
Licence			
1.	For a Holding Premises Licence	-	\$ 50,000.00 (annually)
2.	Commercial Exportation Licence	-	\$ 50,000.00
3.	Commercial Importation Licence	-	\$ 50,000.00 (annually)
4.	Captive Breeding Operation Licence	-	\$25,000.00 (annually)
5.	Artificial Propagation Operation Licence	-	\$25,000.00 (annually)
6.	Wildlife Ranching Operation Licence	-	\$25,000.00 (annually)
Holding Station			
1.	Application Fee		\$15,000.00

SCHEDULE V
Licences forms

FORM A

**APPLICATION FOR PERMIT/CERTIFICATE TO TRADE, IMPORT, EXPORT, RE-EXPORT
OR INTRODUCE FROM THE SEA ANIMALS OR PLANTS LISTED IN SCHEDULE I, II, III OR
DESIGNATED PURSUANT TO SECTION 3(1)(D).**

1. Name of Applicant(s)
(Surname first, if a person)
2. Address of Applicant
(Registered or principal office, if a body corporate)
3. Nationality of Applicant
4. Species scientific & common name of the animal/plant/taxa to be covered
.....
5. Number of animal/plant, quantity (kg.)
6. Type of goods mark (if any)
7. Activity to be authorised
(trading, importing, exporting, re-exporting, introduction from the sea)
8. State whether living, dead or in the wild
9. Description of animal/plant
(include size, sex (if known), type of goods if a derivative)
10. Description of method of transportation, type, size and construction of container used for
transportation of live animal or plant, arrangements for watering, caring during
transportation
.....
.....
.....
11. In case of import, name and Address of receiver/exporter in foreign country
.....
.....

12. Name of country and place where animal/plant is taken from the wild
.....
.....
13. Statement of purposes and details of activities where the animal or plant is to be imported
.....
14. Brief resume of technical expertise of applicant etc. who will take care of the animal or plant.....
.....
15. Name, address, description, where the animal or plant including diagrams, photographs of facility where maintained.....
.....
.....
16. Description of mortalities in last two years before application or genus of similar animal or family where the plant or animal and steps to avoid such mortalities
.....
.....
.....
17. State documents, sworn affidavits or other evidence showing whether the animal or plant was acquired before commencement of regulations, bred in captivity, artificially propagated or derived therefrom, herbarium, dried specimen etc., exported, re-exported as a non-commercial loan, donation exchange between scientists, scientific institutions.....
.....
.....
18. In case of import, particulars of documents from sending country.
.....

(valid export permit/valid foreign re-export permit)

19. In case of export/re-export particulars of documents from receiving country

.....

(where application for export, re-export permit)

20. I hereby declare that I shall comply with the laws relating to trading, exporting, re-exporting, importing and introducing from the sea, of animal and plant specimen and articles and agree to give the Authority such information as may be lawfully required by the Authority.

Signature of Applicant.....

Date.....

FORM B

FORM OF LICENCE

WILDLIFE IMPORT AND EXPORT ACT, 2013

A licence is hereby granted to

To hold animals on premises situated at

.....
.....
.....

for a period of

.....

..... for the purpose(s) of *trade, *import, *export or *re-export.

Dated this day of 20.....

.....

Secretary,
Wildlife Import and Export Authority

-
- Cross out which do/does not apply

FORM C

NOTICE TO BE DISPLAYED OUTSIDE PREMISES FOR THE KEEPING OF ANIMALS

1. The notice shall be on wood or metal, of a size not less than eighteen (18) in width and twelve (12) inches in height, with words in black on a white background, maintained in a legible state.
2. The notice shall be displayed at a height between five (5) and six (6) feet above the floor level on the entrance of the premises, easily visible from the approach to the entrance.
3. The wording on the notice shall be as follows:

"WILDLIFE IMPORT AND EXPORT ACT, 2013"

"These premises are licensed for the holding of animals for the purposes of trade, import, export, and re-export".

Number.....

FORM D

WILDLIFE IMPORT AND EXPORT ACT- LICENSE FOR HOLDING PREMISES

These premises situate at

.....

and owned/leased by

are licensed as from

for a period of one year for the holding of animals for the purposes of *trade, *import, *export, *re-export as prescribed in the ACT, 20.....

Licence Number

.....

Secretary,
Wildlife Import and Export Authority

Cross out which does not apply

FORM E

APPLICATION FOR AUTHORISATION TO IMPORT, EXPORT, RE-EXPORT OR
INTRODUCE FROM THE SEA ANIMALS OR PLANTS NOT LISTED IN SCHEDULE I, II, III
OR DESIGNATED PURSUANT TO SECTION 3(1)(D).

1. Name of Applicant(s)
(Surname first, if a person)
2. Address of Applicant
(Registered or principal office, if a body corporate)
3. Nationality of Applicant
4. Species scientific & Common name of the animal/plant/taxa to be covered
.....
5. Number of animal/plant, quantity (kg.)
6. Type of goods mark (if any)
7. Activity to be authorised
(trading, importing, exporting, re-exporting, introduction from the sea)
8. State whether living, dead or in the wild
9. Description of animal/plant
(include size, sex (if known, type of goods if a derivative)
10. Description of method of transportation, type, size and construction of container used for
transportation of live animal or plant, arrangements for watering, caring during
transportation
.....
.....
11. In case of import, name and Address of receiver or exporter in foreign country
.....
.....
12. Name of country and place where animal/plant is taken from the wild
.....

.....
.....
13. Name, address, description, where the animal or plant including diagrams, photographs
of facility where maintained

.....
.....
.....

14. State documents, sworn affidavits or other evidence showing whether animal/plant
acquired before commencement of regulations, bred in captivity, artificially propagated
or derived therefrom, herbarium, dried specimen etc., exported, re-exported as a non-
commercial loan, donation exchange between approved individuals, approved
institutions

.....
.....

15. In case of import, particulars of documents from sending country.

.....

(valid export permit/valid foreign re-export permit)

16. In case of export/re-export particulars of documents from receiving country

.....

(where application for export, re-export permit)

17. I hereby declare that I shall comply with the law relating to trading, exporting, re-
exporting, importing and introducing from the sea, of animal and plant specimen and
articles and agree to give the Authority such information as may be lawfully required by
the Authority.

Signature of Applicant.....

Date.....

SCHEDULE VI
Penalties

Paragraph	Prescribed Penalties
A	a fine of not less than thirty thousand dollars nor more than eighty thousand dollars;
B	a fine of not less than sixty thousand dollars nor more than eighty thousand dollars;
C	a fine of not less than sixty thousand dollars nor more than one hundred and fifty thousand dollars;
D	a fine of not less than seventy thousand dollars nor more than three hundred thousand dollars and imprisonment for three months;
E	a fine of not less than seventy five thousand nor more than five hundred thousand dollars and imprisonment for six months; and
F	a fine of not less than three hundred thousand dollars nor more than seven hundred and fifty thousand dollars and imprisonment for one year.

SCHEDULE VII
BOARD OF DIRECTORS

1. The Board of Directors (in this Schedule referred to as "the Board") shall consist of not less than seven nor more than eleven persons, a majority of whom shall be knowledgeable and with experience in matter relating to international wildlife trade regulation and enforcement, and the rest of whom shall be knowledgeable in corporate management or other related expertise, appointed for one year by the Minister.
2. The Minister may appoint:
 - a. One of the members of the Board to be Chairman of the Board; and
 - b. Another member of the Board to be Vice-Chairman.
3. The functions of the Board are to:
 - a. Oversee the operations of the Authority;
 - b. Approve recommendations by the Director on the organization of the Authority and the appointment of senior staff;
 - c. Appoint working groups, sub-committees or bodies as needed to enable the Board to carry out its functions;
 - d. Propose regulations to the Minister;
 - e. Approve the financial and annual reports;
 - f. Provide guidance on matters related to the regulation of the international wildlife trade; and
 - g. Approve budget, workplan and programmes.
4. The Board shall meet at least once in each month and at such other times as the Chairman determines is necessary for the efficient discharge of its functions.
5. The Board may determine its own procedure and may, subject to the approval of the Minister, make rules governing such procedures, and prescribe such forms as are considered necessary.
6. The Minister may remove a member of the Board if that member:
 - a. Becomes incapable of carrying out his duties;
 - b. Becomes bankrupt or compounds with his creditors;

- c. Is convicted of an offence;
- d. Is guilty of misconduct;
- e. Is absent, except on leave granted by the Board, from all meetings of the Board for two consecutive months, or during any three months in any period of twelve months;
- f. Fails to comply with paragraph 7;
- g. Fails to carry out satisfactorily any of his functions under this Act or the regulations.

Provided that a member shall not be removed under this subparagraph unless he has been given a reasonable opportunity to be heard.

- 7. (1) Any member of the Board who has any interest, directly or indirectly, in any matter before the Board :
 - a. Shall disclose the nature of the interest to the Board; and
 - b. Shall not take part in any deliberation or decisions of the Board with respect to that matter.
- (2) A disclosure under this section shall be disclosed in the minutes of the Board.

EXPLANATORY MEMORANDUM

BACKGROUND

Guyana ratified the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) done at Washington, District of Columbia in the United States of America on the 3rd day of March, 1973 (the Convention) in 1977 on the 27th May, 1997; the Convention came into force on the 25th August, 1977.

The Environmental Protection Act was passed in 1996, allowing for Regulations to be introduced. In 1999 the Species Protection Regulations was passed so as to address concerns regarding Guyana's inability to implement and enforce the Convention because of its failure to adopt the necessary legislation. Its passage resulted in withdrawal of a notification which would have resulted in the refusal of any import from and export or re-export to Guyana of CITES specimens.

Pursuant to the Conference of Parties (COP) Resolution Conf. 8.4 National Laws for Implementation of the Convention, the 1999 Guyana Species Protection Regulations was given a rating which categorised the legislation in Guyana as generally not meeting all requirements for the implementation of the Convention. The highest rating is legislation which is believed to generally meet the requirements for implementation of the Convention.

It was determined that a separate Act was required to establish a framework for the creation of the appropriate legal and regulatory framework in Guyana.

OBJECTIVES

There are several intended objectives of the drafting of the Act, these include:

- To create a national framework and mechanisms governing the international trade in all species of wildlife in Guyana;

- To create a supportive mechanism cognisant of the national goals for wildlife conservation and management;
- To provide another tool in the conservation, preservation, management and protection of Guyana's biodiversity;
- To avoid measures which can be taken against Guyana, suspension and/or refusal to import from and export or re-export to Guyana of specimens of wildlife;
- To implement the primary provisions of the Convention (this is required by Article VIII of the Convention);
- To provide a mechanism for the implementation of relevant decisions of the COP of the Convention;
- To improve the rating of Guyana's legislation under the Convention; this rating is conducted pursuant to Convention Resolution Conf. 8.4 National Laws for implementation of the Convention; and
- To provide a framework of licensing and decisions which support core principles of transparency, natural justice and fairness.

PART I PRELIMINARY

This Part contains the citation of the Act. Provision is made for the commencement of the Act by the Minister through an order. Definitions relevant to the Act are contained in Section 3. The definitions contained in section 3 are intended to be both Convention and nationally relevant.

PART II SCOPE

This Part comprised in section 4 provides for the scope of the Act and the categories of wildlife to which the Act's mechanism is applicable. This Part is intended to bring Convention species within the purview of the Act. It also seeks to maintain and include provisions specific to wildlife in Guyana. Provision is also to be made for incorporation of wildlife into the scope of the Act by ministerial order. Section 4 identifies the categories of wildlife to which the Act relates. The categories are relevant to the 3 Appendices to the Convention and further

implement Articles III, IV and V of the Convention. Further, provision is made for all species threatened with extinction in Guyana, all species in Guyana requiring protection that are not included in Schedules I, II, III and IV and that are subject to the provisions of this Section.

Provision is also made for a ministerial order to be published annually identifying such other wildlife to which the provisions of the Sections are intended to apply. Subsection (2) will provide the procedure by which the Schedules are amended.

PART III ADMINISTRATION

Section 5 provides for the establishment of the Wildlife Import and Export Authority. The Wildlife Import and Export Authority is established as a body corporate, governed by a board of directors. In the context of the Convention, the Wildlife Import and Export Authority is designated as the Management Authority of Guyana.

Section 6 provides for the establishment of Wildlife Scientific Committee. The Wildlife Scientific Committee is designated by the provisions of Section 6 as the CITES Scientific Authority of Guyana. The membership of the Wildlife Scientific Committee is provided for in sub-section.

Section 7 provides for the Minister to give directions of a general character in the public interest to the Authority. The directions relate to the policy to be followed by the Authority in performance of its functions.

Provisions dealing with the functions and duties of the Authority are contained in Section 8. The functions are in line with functions identified in the Convention and by Decisions of the COP of the Convention. The functions include: taking such steps as are necessary for the management and conservation of wildlife; devising measures to prevent trade in or possession of specimens specified in

the Schedules of the Act; advising the Minister generally on matters relating to the importation, exportation, re-exportation and introduction from the sea of species of wildlife; granting and cancelling of licences, permits and certificates in respect of importation, exportation, and re-exportation of and other trade in species specified in Schedules of the Act; and advising the Minister on action to be taken for the implementation and enforcement of the Convention; Subsection 3 seeks to make provision for the Authority to delegate its functions in writing to an appropriate institution.

Section 9 makes provision for the functions as well as the duties of the Wildlife Scientific Committee. The functions are set out in sub-section 1. The duties are set out in sub-section 2. The functions include advising the Authority on matters relating to the importation, exportation, re-exportation and introduction from the sea of species specified in the Schedules of the Act. Other functions include advising the Authority of the measures including the establishment of quotas, to limit the grant of export permits when the population status of a species so requires; performing, if assigned, any tasks foreseen in the Resolutions of the Conference of the Parties to the Convention; The duties established by sub-section (2) include advising on actions which are likely to have a detrimental effect on the survival of a particular species.

Section 10 makes provision for the appointment of a Director of the Authority and the employment of the Director on terms and conditions set by the Authority. Subsection (2) provides for the status of the Director as well as responsibilities of the Director. By virtue of the provisions of subsection 3, the Director can appoint additional officers and employees as may be necessary to carry out the functions under the Act. Pensions are preserved by the provisions of subsection 5.

Section 11 recognises the power of delegation, in writing, on the part of the Minister with regard to the powers conferred by the Act. Section 12 establishes the Wildlife General Fund which is to be used in the operations of the Authority

and other purposes relevant to the Act. Section 13 identifies the sources of the resources of the Wildlife General Fund. The sources include revenue obtained under the Act and regulations, sums approved by parliament and other sources of financing.

Section 14 in providing for the accounts and audit of the Authority, establishes the financial year of the Authority. Further provision is made regarding the keeping of accounts. The Auditor General is responsible for the annual audit of the accounts of the Authority.

Section 15 requires the Authority to submit a report on the activities of the Authority to the Minister. The report would include the report of the Auditor General and is to be laid before the National Assembly.

PART IV PERMIT AND CERTIFICATE

This Part of the Act provides a comprehensive framework for permits, certificates and licenses for all activities relating to the wildlife trade regulated by these Regulations. These activities include: artificial propagation; captive breeding; ranching, export, import, re-export and introduction from the sea of wildlife. The mechanism established will also create procedures for application, fees, grant, validity and cancellation of licences, permits and certificates.

Section 16 establishes the mechanism governing breeding in captivity. Article VII (4) of the Convention provides the convention framework for dealing with animals bred in captivity. Section 16 in addition to providing for issues under Article VII (4) seek to incorporate several decisions of the COP of the Convention. The provisions of Section cover licensing operations by way of application; the manner in which decisions should be reached regarding licensing; the period of validity of a licence when issued; the circumstances and criteria under which an animal shall be considered captive bred; and the issuance of a certificate when the conditions are met.

Section 17 makes provision for the artificial propagation of plants. Article VII (4) of the Convention provides the Convention framework for dealing with animals artificially propagated. Section 17 in addition to providing for issues under Article VII (4) incorporates several decisions of the COP of the Convention. The provisions of section 17 cover licensing operations by way of application; the manner in which decisions should be reached regarding licensing; the period of validity of a licence when issued; the circumstances and criteria under which an animal shall be considered artificially propagated; and the issuance of a certificate when the conditions are met.

Section 18 seeks to regulate ranching activities. Article VII (4) of the Convention provides the convention framework for dealing with animals which are the product of a ranching operation. Section 18, in addition to providing for issues under Article VII (4) incorporates several decisions of the COP of the Convention. The provisions of Section 18 licensing operations by way of application; the manner in which decisions should be reached regarding licensing; the period of validity of a licence when issued; the circumstances and criteria under which an animal shall be considered ranched; and the issuance of a certificate when the conditions are met.

Section 19 establishes the requirement for a permit to engage in the activities governed by the Act. These are import, export, re-export or introduction from the sea of any specimen. Subsection 2 creates an offence of engaging in these activities without a permit.

Section 20 identifies the application procedure for the various permits required by the Act. Provision is made for the necessary documentation and information regarding the specific permit related activity contemplated. The information required varies having regard to the Schedule into which the specimen of wildlife

can be found. Subsection 4 seeks to make provisions for the fees associated with the application process.

Section 21 creates specific offences, which relate to engaging in activities of import, export, re-export or introduction from the sea prior to the issue of a permit or while a permit is not valid. Subsection 3 provides for periods of disqualification on conviction of a first and second offence under section 21.

Provision is made in this Section 22, where a change in particulars occurs. The Applicant would be responsible for the supplying of information to the Authority where there is a change in the particulars furnished in the application under Section 20 both prior to and subsequent to the grant of a permit or certificate.

Section 23 contains provisions governing the grant of a permit or certificate. Section 23 provides the basis and considerations which is taken into account in the grant of permits or certificates under the Act. The provisions include: the recommended annual export quota; detriment to the survival of the wildlife (species); the fact that the wildlife has not been obtained in contravention of any law of Guyana, as well as such other obligations deriving from any treaty, convention or international agreement to which Guyana is a Party; and the transportation and the health arrangements for any living wildlife.

Section 24 provides for the period of validity of permits granted pursuant to applications. Through Section 25 provision is made for the grounds on which an application for a permit or certificate may be refused. These will include: that the import, export, re-export or introduction from the sea, is for purposes that are detrimental to the survival of the species; that the wildlife has been obtained in contravention of any law including such other obligations deriving from any treaty, convention or international agreement to which Guyana is a Party; that the application contains or is based on false or misleading representation or information which is false in a material particular; bankruptcy; insolvency; the

transportation arrangements, whether by land, sea or by air, for any living plant or animal are inadequate and present a serious risk of injury, damage thereto; and information or recommendation that the issue of the permit or certificate would not be in the best interest of Guyana.

Section 26 makes for the renewal of a permit or certificate upon application and payment of the prescribed fee. Section 27 prohibits the issue of a permit or certificate which would have retrospective effect. An application for modification of a permit is possible pursuant to Section 28. The application should state clear reasons for the modification. The application is considered using the criteria highlighted under Section 25. Under Section 29, a permit or certificate may be suspended by the Authority. Provision is made for notice and an opportunity to answer the cause for the suspension. An opportunity further provided for the holder of the permit to remedy the cause for the suspension.

Section 30 makes provision for the cancellation of an issued permit or certificate. Subsection (1) provides the grounds of cancellation, these include: upon breach of a condition subject to which the permit or certificate was granted; where the holder of the permit or certificate contravenes any provision or the Act; where information which was misleading, false or deceptive was submitted in support of the permit or certificate; upon failure of the holder of the permit or certificate to keep accurate records; health considerations; and if the permit or certificate granted is not in the interest of Guyana. Subsection (2) provides the procedure, with emphasis on notice, fairness and an opportunity to be heard.

Section 31 prohibits the payment of compensation in specified circumstances on the cancellation of a permit or certificates. Section 32 provides for the non-transferability of a permit or certificate. Section 33 provides for unused and expired permits to be returned to the Authority within fourteen days of the expiration of the permit. Subsection 2 provides that the authority shall cancel and

retain used export permits and re-export certificates, issued by the relevant authorities of a foreign State.

PART V KEEPING OF RECORDS

Section 34 makes provision for the holder of a licence, permit or certificate to keep a Wildlife Register. Section 34 seeks to implement the provisions of Article VIII section 7 of the Convention.

Section 35 requires the Authority to keep records and registers. An extract of the records maintained by the Authority is open to public inspection. Section 35 represents a further implementation of the provisions of Article VII section 7 of the Convention.

PART VI COMMERCIAL IMPORTERS AND EXPORTERS

Section 36 makes detailed provisions governing the licence to be granted for commercial exportation and commercial importation. Provision are further made regarding the cancellation of commercial exportation and commercial importation licences Subsection (1) requires an individual prior to engaging in either export or import of wildlife, to apply to the Authority for a licence prior to commencing the specific activity. Subsection (2) stipulates information to be contained in the application. This includes information relating to the full name, address and contact details of the applicant; the species and the number of specimens of that species to be exported or imported; the potential and/or intended market for the specimens to be exported or imported; the arrangements for the holding of the wildlife prior to export and after import; and such further information or document as the Authority may require. A fee is also payable in respect of the application and a licence for commercial exportation when granted is valid for a period not exceeding one year. A licence to engage in commercial importation shall be valid for a period not exceeding three years.

Subsection (7) sets out the grounds upon which a licence can be cancelled by Authority. Subsection (7) further provides a mechanism for notice in writing, a reasonable opportunity to make representations and communication of the decision on conclusion of the various steps of the process. Section 37 seeks to set out the basis and manner of calculation of the amount charged, levied, collected and paid for the export of specimens from Guyana.

PART VII TRANSPORTATION OF WILDLIFE

Section 38 makes provision for live animals shipped from Guyana. Live animals shall be shipped by air from Guyana in accordance with the current edition of IATA Regulations.

Section 39 requires that animals, in respect of which export permits would have been granted pursuant to section 38, must also be prepared and shipped in accordance with the provisions of Section 38.

PART VIII LICENSING OF HOLDING PREMISES

Section 40 requires holders of Commercial export licences and commercial import licences to keep wildlife in holding premises licensed by the Authority.

Section 41 provides the application process to be complied with for holding premises to be licensed under the Act. The application for the licence is made to the Authority; the contents of the application are set out in Section 41(2). These will include: name; address; basis of occupation and number of species to be kept on the premises. A fee for conservation is proposed to be levied on the basis of the provisions Section 41. Section 42 provides that the provisions of

section 41 are applicable to premises which were being operated prior to the passage of Act.

Section 43 provides for the inspection of premises prior to the grant of an application. The process includes the preparation and consideration of a report based on the inspection.

Section 44 provides for the grant as well as matters which the Authority will consider in the process of granting a licence for holding premises. These will include: compliance with applicable laws; reports of the inspection and other information submitted in support of the application.

Section 45 requires the owner of a licenced premises to display the licence issued by the Authority.

Licences granted, cancelled or varied are published in the Official Gazette in accordance with the provisions of Section 46. Section 47 makes provision for a licence may be varied or cancelled, by the Authority when an owner or occupier is convicted of an offence under the Act. Section 48 provides a mechanism for notice in writing, a reasonable opportunity to make representations and communication of the decision on conclusion of the various steps, prior to the cancellation of a licence by the Authority.

PART IX OFFENCES AND PENALTIES

Section 49 creates the general penalty applicable to a breach of the provisions of the Act. The penalty specified in Section 21 is excluded. The general penalty provided in section 49 is further excluded from applicability to sections 55 to 54 of the Act.

Section 50 makes it an offence to provide false or misleading information in the various process of the Authority and other activities regulated by the Act. Unlawful trade is prohibited by the provision of Section 51. The carrying out of activities under the Act without authorisation is an offence under Section 51. The penalty is the penalty prescribed in paragraph D of Schedule VI.

Section 52 creates an offence to possess, control, offer or expose for sale or display to the public any specimen without proper authorisation or permission from the Authority. Subsection (2) makes provisions for a defence to an offence under section 52(1). By virtue of the provisions of Section 53 it is an offence to threaten, assault and/or obstruction of an authorized person acting in furtherance of his duties, under the Act. Failing to keep a Wildlife Register is an offence by virtue of the provisions of section 54. Section 55 makes provision for the revocation of licences by the Minister. Section 55 further provides the basis on which the power of revocation would be exercised as well as the opportunity to be heard as well as the duration of revocation.

PART X ENFORCEMENT

Section 56 recognises the power of the Authority to enforce the provisions of the Act. Section 57 sets out the manner in which a body corporate would be held liable for offences committed under the provisions of the Act. Section 58 provides the circumstances under which the possession of wildlife would constitute an offence under the Act. Subsection (2) provides the circumstances under which a person in possession of wildlife would not contravene the provisions of the Act.

Provisions regarding the entry onto premises by persons executing powers under the Act are contained in Section 59. On entry the person is permitted to inspect books, documents and other records.

Section 60 sets out the powers of authorised persons to carry out seizures pursuant to the Act, this is specifically provided for in subsection (1). Subsection (2) makes provision for the care of seized wildlife.

A procedure for forfeiture of specimens to the State is contained in Section 61. The forfeiture occurs on conviction under the Act. Section 61 further makes provision regarding the manner of dealing with forfeited wildlife. These will include return to the wild, donation to a zoological organisation and return to the country of origin.

Section 62 makes provisions for all moneys payable under the Act to be paid to the Authority.

PART XI GENERAL PROVISIONS

Section 63 makes provision for the repeal of the Species Protection Regulations of 1999 made under the Environmental Protection Act No. 11 of 1996.

Section 64 identifies the laws from which provisions of the Act do not derogate. Section 65 makes provision regarding general exceptions from the applicability of the Act. The provisions of Section 65 are in keeping with the provisions contained in Article VII of the Convention and are applicable to transshipment from another state and the stores of aircrafts or ships. Section 65 further sets out a procedure to be followed to confirm the exceptions.

Section 66 makes provision for certain dealings by institutions and individuals with regard to wildlife in Guyana. Section 66 makes provision for the application, grant and identification of approved institutions. Section 66 identifies the specific activities which approvals would be given. Subsection 5 provides the matters which would be considered prior to the approval of an institution or individual. These include finances, ownership, resources and qualifications.

Section 67 makes provisions excluding the application of Part IV of the Act to non-commercial loans, donations and exchanges between approved institutions. Section 67 is intended to give effect to the provisions contained in Article VII section 6 of the Convention and is applicable to particular categories of specimens.

Section 68 makes provisions with regard to markings. Section 68 further seeks to implement Article VI Section 7 of the Convention. The markings are applied to specimens imported into or exported from Guyana.

Under Section 69 provision is made for the grant of a certificate permitting the export of re-export of specimens acquired prior to the coming into force of the Act. Section 70 provides for a general prohibition of activities without written authorisation over the Authority. The activities include export, import, re-export and introduction from the sea. Section 71 requires large scale wildlife harvesting to be subject to an environmental review. Section 72 makes provision for the Authority to waive the fees established and set out in Schedule IV in the public interest.

The Commissioner General of the Guyana Revenue Authority in collaboration with the Authority monitor the use of import, export and re-export permits by virtue of the provisions in section 73.

Section 74 makes provision for the Minister to make regulations to give effect to the provisions of the Act. The regulations include but are not limited to operation of holding premises; captive breeding; artificial propagation; ranching; and confiscations and disposal of confiscated specimens.

SCHEDULES

The following are the Schedules included in the Act.

Schedule I incorporates CITES Appendix I.

Schedule II incorporates CITES Appendix II.

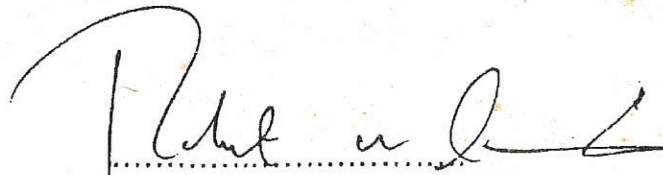
Schedule III incorporates CITES Appendix III.

Schedule IV makes provision for the Fees for Applications, Permits, Certificates and Licences.

Schedule V sets out the Licences Forms.

Schedule VI sets out the Penalties applicable for offences under the Act.

Schedule VII sets out the composition and functions of the Board of Directors.

A handwritten signature in black ink, appearing to read 'Robert M. Persaud', written over a horizontal dotted line.

Robert M. Persaud, MBA, M.P.
Minister of Natural Resources and the Environment