

Commission regulation (EC) No 865/2006 of 4 May 2006 laying down detailed rules concerning the implementation of Council Regulation (EC) No 338/97 on the protection of species of wild fauna and flora by regulating trade therein

## CHAPTER III

### ISSUE, USE AND VALIDITY OF DOCUMENTS

#### *Article 8*

#### **Issue and use of documents**

[<sup>F1</sup> Documents shall be issued and used in accordance with the provisions and under the conditions laid down in this Regulation and in Regulation (EC) No 338/97, and in particular in Article 11(1) to (4) of the latter Regulation. Permits and certificates may be issued in paper format or in electronic format.]

In order to ensure compliance with those Regulations and with the provisions of [<sup>F2</sup>United Kingdom legislation (as that legislation applies in Great Britain)] adopted for their implementation, the <sup>F3</sup>... management authority may impose stipulations, conditions and requirements, which shall be set out in the documents concerned.

2 The use of documents shall be without prejudice to any other formalities relating to the movement of goods within [<sup>F4</sup>Great Britain], to the introduction of goods into [<sup>F4</sup>Great Britain] or to their export or re-export therefrom, or to the issue of the documents used for such formalities.

3 [<sup>F5</sup>The management authority] shall decide on the issue of permits and certificates within one month of the date of submission of a complete application.

However, where the <sup>F6</sup>... management authority consults third parties, such a decision may be taken only after the satisfactory completion of such consultation. Applicants shall be notified of significant delays in processing their applications.

#### **Textual Amendments**

- F1** Substituted by Commission Regulation (EU) No 791/2012 of 23 August 2012 amending, as regards certain provisions relating to the trade in species of wild fauna and flora, Regulation (EC) No 865/2006 laying down detailed rules for the implementation of Council Regulation (EC) No 338/97.
- F2** Words in Art. 8(1) substituted (31.12.2020) by The Environment and Wildlife (Miscellaneous Amendments etc.) (EU Exit) Regulations 2020 (S.I. 2020/1395), regs. 1(2), **8(6)(a)**
- F3** Word in Art. 8(1) omitted (31.12.2020) by virtue of The Environment and Wildlife (Miscellaneous Amendments etc.) (EU Exit) Regulations 2020 (S.I. 2020/1395), regs. 1(2), **8(6)(a)**
- F4** Words in Art. 8(2) substituted (31.12.2020) by The Environment and Wildlife (Miscellaneous Amendments etc.) (EU Exit) Regulations 2020 (S.I. 2020/1395), regs. 1(2), **8(6)(b)**
- F5** Words in Art. 8(3) substituted (31.12.2020) by The Environment and Wildlife (Miscellaneous Amendments etc.) (EU Exit) Regulations 2020 (S.I. 2020/1395), regs. 1(2), **8(6)(c)(i)**
- F6** Word in Art. 8(3) omitted (31.12.2020) by virtue of The Environment and Wildlife (Miscellaneous Amendments etc.) (EU Exit) Regulations 2020 (S.I. 2020/1395), regs. 1(2), **8(6)(c)(ii)**

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## [<sup>F7</sup>Article 9

### Shipments of specimens

Without prejudice to Articles 31, 38, 44b, 44i and 44p, a separate import permit, import notification, export permit or re-export certificate shall be issued for each shipment of specimens shipped together as part of one load.]

#### Textual Amendments

- F7** Substituted by [Commission Regulation \(EU\) 2015/870 of 5 June 2015 amending, as regards the trade in species of wild fauna and flora, Regulation \(EC\) No 865/2006 laying down detailed rules concerning the implementation of Council Regulation \(EC\) No 338/97.](#)

## [<sup>F7</sup>Article 10]

### Validity of import and export permits, re-export certificates, travelling exhibition certificates, personal ownership certificates, sample collection certificates and musical instrument certificates

1 The period of validity of import permits issued in accordance with Articles 20 and 21 shall not exceed 12 months. An import permit shall, however, not be valid in the absence of a valid corresponding document from the country of export or re-export.

[<sup>F8</sup>As regards caviar of sturgeon species (*Acipenseriformes* spp.) from shared stocks subject to export quotas, which is covered by an export permit, import permits referred to in the first subparagraph shall not be valid beyond the last day of the quota year in which the caviar was harvested and processed or the last day of the 12-month period referred to in the first subparagraph, whichever is the earlier.

As regards caviar of sturgeon species (*Acipenseriformes* spp.) covered by a re-export certificate, import permits referred to in the first subparagraph shall not be valid beyond the last day of the period of 18 months after the date of issuance of the relevant original export permit or the last day of the 12-month period referred to in the first subparagraph, whichever is the earlier.]

2 The period of validity of export permits and re-export certificates issued in accordance with Article 26 shall not exceed six months.

[<sup>F8</sup>As regards caviar of sturgeon species (*Acipenseriformes* spp.) from shared stocks subject to export quotas, export permits referred to in the first subparagraph shall not be valid beyond the last day of the quota year in which the caviar was harvested and processed or the last day of the six-month period referred to in the first subparagraph, whichever is the earlier.

As regards caviar of sturgeon species (*Acipenseriformes* spp.), re-export certificates referred to in the first subparagraph shall not be valid beyond the last day of the period of 18 months after the date of issuance of the relevant original export permit or the last day of the six-month period referred to in the first subparagraph, whichever is the earlier.]

[<sup>F8</sup>2a For the purpose of paragraph 1, second subparagraph and paragraph 2 second subparagraph, the quota year shall be that agreed by the Conference of the Parties to the Convention.]

[<sup>F7</sup>3 The period of validity of the travelling exhibition certificates, personal ownership certificates and musical instrument certificates issued in accordance with Articles 30, 37 and 44h respectively shall not exceed three years.]

[<sup>F8</sup>3a The period of validity of sample collection certificates issued in accordance with Article 44a shall not exceed six months. The date of expiry of a sample collection certificate shall not be later than that of the ATA carnet accompanying it.]

[<sup>F9</sup>4 After their expiry, the permits and certificates referred to in paragraphs 1, 2, 3 and 3a shall be considered as void.]

[<sup>F7</sup>5 Travelling exhibition certificates, personal ownership certificates or musical instrument certificates shall cease to be valid if the specimen is sold, lost, destroyed or stolen, or if ownership of the specimen is otherwise transferred, or, in the case of a live specimen, if it has died, escaped or been released to the wild.

6 The holder shall, without undue delay, return to the issuing management authority the original and all copies of any import permit, export permit, re-export certificate, travelling exhibition certificate, personal ownership certificate, sample collection certificate or musical instrument certificate, which has expired or which is unused or no longer valid.]

#### Textual Amendments

- F7** Substituted by [Commission Regulation \(EU\) 2015/870 of 5 June 2015 amending, as regards the trade in species of wild fauna and flora, Regulation \(EC\) No 865/2006 laying down detailed rules concerning the implementation of Council Regulation \(EC\) No 338/97.](#)
- F8** Inserted by [Commission Regulation \(EC\) No 100/2008 of 4 February 2008 amending, as regards sample collections and certain formalities relating to the trade in species of wild fauna and flora, Regulation \(EC\) No 865/2006 laying down detailed rules for the implementation of Council Regulation \(EC\) No 338/97.](#)
- F9** Substituted by [Commission Regulation \(EC\) No 100/2008 of 4 February 2008 amending, as regards sample collections and certain formalities relating to the trade in species of wild fauna and flora, Regulation \(EC\) No 865/2006 laying down detailed rules for the implementation of Council Regulation \(EC\) No 338/97.](#)

### Article 11

#### Validity of used import permits and of the certificates referred to in Articles 47, 48, 49, 60 and 63

1 Copies for the holder of used import permits shall cease to be valid in the following cases:

- a where live specimens referred to therein have died;
- b where live animals referred to therein have escaped or have been released to the wild;
- [<sup>F7</sup>c where specimens referred to therein have been lost, destroyed or stolen;]
- d where any of the entries in boxes 3, 6 or 8 no longer reflects the actual situation.

2 The certificates referred to in Articles 47, 48, 49 and 63 shall cease to be valid in the following cases:

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- a where live specimens referred to therein have died;
- b where live animals referred to therein have escaped or have been released to the wild;
- [<sup>F7</sup>c where specimens referred to therein have been lost, destroyed or stolen;]
- d where any of the entries in boxes 2 and 4 no longer reflects the actual situation[<sup>F9</sup>;
- [<sup>F8</sup>e where any special conditions specified in box 20 are no longer fulfilled.]

[<sup>F13</sup> Certificates issued in accordance with Articles 48 and 63 shall be transaction-specific unless the specimens covered by such certificates are uniquely and permanently marked or, in the case of dead specimens which can not be marked, identified by other means.]

The management authority <sup>F10</sup>... may also, in consultation with the relevant scientific authority, decide to issue transaction-specific certificates where it is considered that there are other factors relating to the conservation of the species that militate against the issuance of a specimen-specific certificate.

[<sup>F8</sup>Where a transaction specific certificate is issued for the purpose of allowing several transactions, it shall be valid only within [<sup>F11</sup>Great Britain]. Where transaction specific certificates are to be used <sup>F12</sup>... for one transaction only [<sup>F13</sup>, their validity] shall be limited to that transaction. It shall be indicated in box 20 whether the certificate is for one or more transactions <sup>F14</sup>....]

4 The certificates referred to in Article 48(1)(d) and Article 60 shall cease to be valid where the entry in box 1 no longer reflects the actual situation.

<sup>F15</sup> ...

[<sup>F95</sup> Documents that cease to be valid in accordance with this Article shall, without undue delay, be returned to the <sup>F16</sup>... management authority which, where appropriate, may issue a certificate reflecting the required changes in accordance with Article 51.]

#### Textual Amendments

- F1** Substituted by Commission Regulation (EU) No 791/2012 of 23 August 2012 amending, as regards certain provisions relating to the trade in species of wild fauna and flora, Regulation (EC) No 865/2006 laying down detailed rules for the implementation of Council Regulation (EC) No 338/97.
- F7** Substituted by Commission Regulation (EU) 2015/870 of 5 June 2015 amending, as regards the trade in species of wild fauna and flora, Regulation (EC) No 865/2006 laying down detailed rules concerning the implementation of Council Regulation (EC) No 338/97.
- F8** Inserted by Commission Regulation (EC) No 100/2008 of 4 February 2008 amending, as regards sample collections and certain formalities relating to the trade in species of wild fauna and flora, Regulation (EC) No 865/2006 laying down detailed rules for the implementation of Council Regulation (EC) No 338/97.
- F9** Substituted by Commission Regulation (EC) No 100/2008 of 4 February 2008 amending, as regards sample collections and certain formalities relating to the trade in species of wild fauna and flora, Regulation (EC) No 865/2006 laying down detailed rules for the implementation of Council Regulation (EC) No 338/97.
- F10** Words in Art. 11(3) omitted (31.12.2020) by virtue of The Environment and Wildlife (Miscellaneous Amendments etc.) (EU Exit) Regulations 2020 (S.I. 2020/1395), regs. 1(2), **8(7)(a)(i)**
- F11** Words in Art. 11(3) substituted (31.12.2020) by The Environment and Wildlife (Miscellaneous Amendments etc.) (EU Exit) Regulations 2020 (S.I. 2020/1395), regs. 1(2), **8(7)(a)(ii)(aa)**
- F12** Words in Art. 11(3) omitted (31.12.2020) by virtue of The Environment and Wildlife (Miscellaneous Amendments etc.) (EU Exit) Regulations 2020 (S.I. 2020/1395), regs. 1(2), **8(7)(a)(ii)(bb)**
- F13** Words in Art. 11(3) substituted (31.12.2020) by The Environment and Wildlife (Miscellaneous Amendments etc.) (EU Exit) Regulations 2020 (S.I. 2020/1395), regs. 1(2), **8(7)(a)(ii)(bb)**

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- F14** Words in Art. 11(3) omitted (31.12.2020) by virtue of The Environment and Wildlife (Miscellaneous Amendments etc.) (EU Exit) Regulations 2020 (S.I. 2020/1395), regs. 1(2), **8(7)(a)(ii)(cc)**
- F15** Deleted by Commission Regulation (EC) No 100/2008 of 4 February 2008 amending, as regards sample collections and certain formalities relating to the trade in species of wild fauna and flora, Regulation (EC) No 865/2006 laying down detailed rules for the implementation of Council Regulation (EC) No 338/97.
- F16** Word in Art. 11(5) omitted (31.12.2020) by virtue of The Environment and Wildlife (Miscellaneous Amendments etc.) (EU Exit) Regulations 2020 (S.I. 2020/1395), regs. 1(2), **8(7)(b)**

### Article 12

#### Documents cancelled, lost, stolen, destroyed or expired

1 Where a permit or certificate is issued to replace a document that has been cancelled, lost, stolen or destroyed, or that, in the case of a permit or re-export certificate, has expired, the number of the replaced document and the reason for the replacement shall be indicated in the box for ‘special conditions’.

2 Where an export permit or re-export certificate has been cancelled, lost, stolen or destroyed, the issuing management authority shall inform the management authority of the country of destination and the Secretariat of the Convention thereof.

### Article 13

#### Time of application for import and (re)-export documents and assignment to a customs procedure

1 Import permits, export permits and re-export certificates shall, taking account of Article 8(3), be applied for in sufficient time to allow their issue prior to the introduction of specimens into or their export or re-export from [<sup>F17</sup>Great Britain].

2 The assignment of specimens to a customs procedure shall not be authorised until after presentation of the requisite documents.

#### Textual Amendments

- F17** Words in Art. 13(1) substituted (31.12.2020) by The Environment and Wildlife (Miscellaneous Amendments etc.) (EU Exit) Regulations 2020 (S.I. 2020/1395), regs. 1(2), **8(8)**

### Article 14

#### Validity of documents from third countries

In the case of the introduction of specimens into [<sup>F18</sup>Great Britain], the requisite documents from third countries shall be considered valid only where they have been issued for export or re-export from that country and used for that purpose prior to their last day of validity and are used for introduction of specimens into [<sup>F18</sup>Great Britain] no later than six months from their date of issue.

[<sup>F7</sup>However, certificates of origin for specimens of species listed in Annex C to Regulation (EC) No 338/97 may be used for the introduction of specimens into [<sup>F19</sup>Great

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Britain] until 12 months from their date of issue and travelling exhibition certificates, personal ownership certificates and musical instrument certificates may be used for the introduction of specimens into [<sup>F19</sup>Great Britain] and for the purpose of applying for respective certificates in accordance with Articles 30, 37 and 44h of this Regulation until three years from their date of issue.]

#### Textual Amendments

- F7** Substituted by [Commission Regulation \(EU\) 2015/870 of 5 June 2015 amending, as regards the trade in species of wild fauna and flora, Regulation \(EC\) No 865/2006 laying down detailed rules concerning the implementation of Council Regulation \(EC\) No 338/97.](#)
- F18** Words in Art. 14 substituted (31.12.2020) by [The Environment and Wildlife \(Miscellaneous Amendments etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1395\), regs. 1\(2\), 8\(9\)\(a\)](#)
- F19** Words in Art. 14 substituted (31.12.2020) by [The Environment and Wildlife \(Miscellaneous Amendments etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1395\), regs. 1\(2\), 8\(9\)\(b\)](#)

### Article 15

#### Retrospective issue of certain documents

1 By way of derogation from Article 13(1) and Article 14 of this Regulation, and provided that the importer or (re-)exporter informs the <sup>F20</sup>... management authority on arrival or before departure of the shipment of the reasons why the required documents are not available, documents for specimens of species listed in Annex B or C to Regulation (EC) No 338/97, as well as for specimens of species listed in Annex A to that Regulation and referred to in Article 4(5) thereof, may exceptionally be issued retrospectively.

2 The derogation provided for in paragraph 1 shall apply where the <sup>F21</sup>... management authority of the [<sup>F22</sup>United Kingdom], in consultation with the competent authorities of a third country where appropriate, is satisfied that any irregularities which have occurred are not attributable to the importer or the (re-)exporter, and that the import or (re-)export of the specimens concerned is otherwise in compliance with Regulation (EC) No 338/97, the Convention and the relevant legislation of the third country.

[<sup>F8</sup>As regards specimens imported or (re-)exported as personal and household effects, to which the provisions of Chapter XIV apply, and as regards personally owned live animals, which are legally acquired and held for personal non-commercial purposes, the derogation provided for in paragraph 1 shall also apply where the <sup>F23</sup>... management authority of the [<sup>F24</sup>United Kingdom], in consultation with the relevant enforcement authority, is satisfied that there is evidence that a genuine error has been made and that there was no attempt to deceive and the import or (re-)export of the specimens concerned is in compliance with Regulation (EC) No 338/97, the Convention and the relevant legislation of a third country.]

3 Documents issued pursuant to paragraph 1 shall clearly indicate that they have been issued retrospectively and the reasons for such issue.

[<sup>F25</sup>In the case of import permits, export permits and re-export certificates issued in Great Britain], that information shall be indicated in box 23.

[<sup>F13a</sup> For personally owned live animals, which are legally acquired and held for personal non-commercial purposes, for which an import permit is issued pursuant to the second subparagraph of paragraph 2, commercial activities, as laid down in Article 8(1) of Regulation

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(EC) No 338/97, shall be prohibited for two years from the date of issuance of the permit and no exemptions for specimens of Annex A species, as provided for in Article 8(3) of that Regulation, shall be granted during that period.

In the case of import permits issued pursuant to the second subparagraph of paragraph 2 for those personally owned live animals and for specimens of species listed in Annex A to Regulation (EC) No 338/97 and referred to in Article 4(5)(b) thereof, the stipulation ‘by way of derogation to Article 8(3) or (5) of Regulation (EC) No 338/97, commercial activities, as laid down in Article 8(1) of that Regulation, shall be prohibited for at least two years from the date of issuance of this permit’ shall be included in box 23.]

4 The Secretariat of the Convention shall be notified of export permits and re-export certificates issued in accordance with paragraphs 1, 2 and 3.

#### Textual Amendments

- F1** Substituted by Commission Regulation (EU) No 791/2012 of 23 August 2012 amending, as regards certain provisions relating to the trade in species of wild fauna and flora, Regulation (EC) No 865/2006 laying down detailed rules for the implementation of Council Regulation (EC) No 338/97.
- F8** Inserted by Commission Regulation (EC) No 100/2008 of 4 February 2008 amending, as regards sample collections and certain formalities relating to the trade in species of wild fauna and flora, Regulation (EC) No 865/2006 laying down detailed rules for the implementation of Council Regulation (EC) No 338/97.
- F20** Word in Art. 15(1) omitted (31.12.2020) by virtue of The Environment and Wildlife (Miscellaneous Amendments etc.) (EU Exit) Regulations 2020 (S.I. 2020/1395), regs. 1(2), **8(10)(a)**
- F21** Word in Art. 15(2) omitted (31.12.2020) by virtue of The Environment and Wildlife (Miscellaneous Amendments etc.) (EU Exit) Regulations 2020 (S.I. 2020/1395), regs. 1(2), **8(10)(b)(i)(aa)**
- F22** Words in Art. 15(2) substituted (31.12.2020) by The Environment and Wildlife (Miscellaneous Amendments etc.) (EU Exit) Regulations 2020 (S.I. 2020/1395), regs. 1(2), **8(10)(b)(i)(bb)**
- F23** Word in Art. 15(2) omitted (31.12.2020) by virtue of The Environment and Wildlife (Miscellaneous Amendments etc.) (EU Exit) Regulations 2020 (S.I. 2020/1395), regs. 1(2), **8(10)(b)(ii)**
- F24** Words in Art. 15(2) substituted (31.12.2020) by The Environment and Wildlife (Miscellaneous Amendments etc.) (EU Exit) Regulations 2020 (S.I. 2020/1395), regs. 1(2), **8(10)(b)(ii)**
- F25** Words in Art. 15(3) substituted (31.12.2020) by The Environment and Wildlife (Miscellaneous Amendments etc.) (EU Exit) Regulations 2020 (S.I. 2020/1395), regs. 1(2), **8(10)(c)**

### Article 16

#### Specimens in transit through [<sup>F26</sup>Great Britain]

Articles 14 and 15 of this Regulation shall apply *mutatis mutandis* to specimens of species listed in Annexes A and B to Regulation (EC) No 338/97 which are in transit through [<sup>F27</sup>Great Britain] where that transit is otherwise in accordance with the latter Regulation.

#### Textual Amendments

- F26** Words in Art. 16 heading substituted (31.12.2020) by The Environment and Wildlife (Miscellaneous Amendments etc.) (EU Exit) Regulations 2020 (S.I. 2020/1395), regs. 1(2), **8(11)**
- F27** Words in Art. 16 substituted (31.12.2020) by The Environment and Wildlife (Miscellaneous Amendments etc.) (EU Exit) Regulations 2020 (S.I. 2020/1395), regs. 1(2), **8(11)**

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**Changes to legislation:** There are currently no known outstanding effects for the Commission regulation (EC) No 865/2006, CHAPTER III. (See end of Document for details)

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## Article 17

### Phytosanitary certificates

1 In the case of artificially propagated plants of the species listed in Annexes B and C to Regulation (EC) No 338/97 and of artificially propagated hybrids produced from the unannotated species listed in Annex A thereto, the following shall apply:

- a [F28the management authority] may decide that a phytosanitary certificate is to be issued instead of an export permit;
- b phytosanitary certificates issued by third countries shall be accepted instead of an export permit.

2 Where a phytosanitary certificate as referred to in paragraph 1 is issued, it shall include the scientific name at the species level or, if this is impossible for those taxa included by family in the Annexes to Regulation (EC) No 338/97, at the generic level.

However, artificially propagated orchids and cacti listed in Annex B to Regulation (EC) No 338/97 may be referred to as such.

Phytosanitary certificates shall also include the type and quantity of specimens and bear a stamp, seal or other specific indication stating that ‘the specimens are artificially propagated as defined by CITES’.

#### Textual Amendments

**F28** Words in [Art. 17\(1\)\(a\)](#) substituted (31.12.2020) by [The Environment and Wildlife \(Miscellaneous Amendments etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1395\)](#), regs. 1(2), **8(12)**

## Article 18

### Simplified procedures with regard to certain trade in biological samples

1 In the case of trade that will have no impact on the conservation of the species concerned or only a negligible impact, simplified procedures on the basis of pre-issued permits and certificates may be used for biological samples of the type and size specified in Annex XI, where those samples are urgently required to be used in the manner specified in that Annex and provided that the following conditions are satisfied:

- a [F29the management authority] must establish and maintain a register of the persons and bodies that may benefit from simplified procedures, hereinafter ‘registered persons and bodies’, as well as of the species that they may trade under such procedures, and must ensure that the register is reviewed by the management authority every five years;
- b [F30the management authority] must provide registered persons and bodies with partially completed permits and certificates;
- c [F31the management authority] must authorise registered persons or bodies to enter specific information on the face of the permit or certificate where the management authority F32... has included the following items in box 23, or in an equivalent place, or in an annex to the permit or certificate:
  - (i) a list of the boxes that registered persons or bodies are authorised to complete for each shipment;



- (ii) a place for the signature of the person who completed the document.

If the list referred to in point (c)(i) includes scientific names, the management authority shall include an inventory of approved species on the face of the permit or certificate or in an annex thereto.

2 Persons and bodies may be entered in the register for a particular species only after a competent scientific authority has advised in accordance with Articles 4(1)(a), 4(2)(a), 5(2)(a) and 5(4) of Regulation (EC) No 338/97 that multiple transactions involving the biological samples listed in Annex XI to this Regulation will not have a harmful effect on the conservation status of the species in question.

3 The container in which biological samples referred to in paragraph 1 are shipped shall bear a label that specifies ‘Muestras biológicas CITES’, or ‘CITES Biological Samples’, or ‘Échantillons biologiques CITES’, as well as the number of the document issued in accordance with the Convention.

#### Textual Amendments

- F29** Words in Art. 18(1)(a) substituted (31.12.2020) by [The Environment and Wildlife \(Miscellaneous Amendments etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1395\)](#), regs. 1(2), **8(13)(a)**
- F30** Words in Art. 18(1)(b) substituted (31.12.2020) by [The Environment and Wildlife \(Miscellaneous Amendments etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1395\)](#), regs. 1(2), **8(13)(b)**
- F31** Words in Art. 18(1)(c) substituted (31.12.2020) by [The Environment and Wildlife \(Miscellaneous Amendments etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1395\)](#), regs. 1(2), **8(13)(c)**
- F32** Words in Art. 18(1)(c) omitted (31.12.2020) by virtue of [The Environment and Wildlife \(Miscellaneous Amendments etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1395\)](#), regs. 1(2), **8(13)(c)**

### Article 19

#### Simplified procedures with regard to export or re-export of dead specimens

1 In the case of the export or re-export of dead specimens of species, including any parts or derivatives thereof, listed in Annexes B and C to Regulation (EC) No 338/97, [<sup>F33</sup>the management authority] may provide for the use of simplified procedures on the basis of pre-issued export permits or re-export certificates, provided that the following conditions are satisfied:

- a [<sup>F34</sup>the competent scientific authority of the United Kingdom] must advise that such export or re-export will have no detrimental impact on the conservation of the species concerned;
- b [<sup>F35</sup>the management authority] must establish and maintain a register of the persons and bodies that may benefit from simplified procedures, hereinafter ‘registered persons and bodies’, as well as of the species that they may trade under such procedures, and must ensure that the register is reviewed by the management authority every five years;
- c [<sup>F36</sup>the management authority] must provide registered persons and bodies with partially completed export permits and re-export certificates;
- d [<sup>F37</sup>the management authority] must authorise registered persons or bodies to enter specific information in boxes 3, 5, 8 and 9 or 10 of the permit or certificate provided that they comply with the following requirements:
  - (i) they sign the completed permit or certificate in box 23;

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- (ii) they immediately send a copy of the permit or certificate to the issuing management authority;
- (iii) they maintain a record which they produce to the competent management authority on request and which contains details of the specimens sold, including the species name, the type of specimen, the source of the specimen, the dates of sale and the names and addresses of the persons to whom they were sold.

2 The export or re-export referred to in paragraph 1 shall otherwise be in accordance with Article 5(4)<sup>F38</sup> ... of Regulation (EC) No 338/97.

#### Textual Amendments

- F33** Words in Art. 19(1) substituted (31.12.2020) by [The Environment and Wildlife \(Miscellaneous Amendments etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1395\)](#), regs. 1(2), **8(14)(a)(i)**
- F34** Words in Art. 19(1)(a) substituted (31.12.2020) by [The Environment and Wildlife \(Miscellaneous Amendments etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1395\)](#), regs. 1(2), **8(14)(a)(ii)**
- F35** Words in Art. 19(1)(b) substituted (31.12.2020) by [The Environment and Wildlife \(Miscellaneous Amendments etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1395\)](#), regs. 1(2), **8(14)(a)(iii)**
- F36** Words in Art. 19(1)(c) substituted (31.12.2020) by [The Environment and Wildlife \(Miscellaneous Amendments etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1395\)](#), regs. 1(2), **8(14)(a)(iv)**
- F37** Words in Art. 19(1)(d) substituted (31.12.2020) by [The Environment and Wildlife \(Miscellaneous Amendments etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1395\)](#), regs. 1(2), **8(14)(a)(iv)**
- F38** Words in Art. 19(2) omitted (31.12.2020) by virtue of [The Environment and Wildlife \(Miscellaneous Amendments etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1395\)](#), regs. 1(2), **8(14)(b)**

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