
STATUTORY INSTRUMENTS

1997 No. 1372

**The Control of Trade in Endangered
Species (Enforcement) Regulations 1997**

Interpretation

2.—(1) In these Regulations—

“acquired” means, in relation to a specimen, taken from the wild or the point at which it was born in captivity or artificially propagated;

“acquired unlawfully” means acquired contrary to the provisions of the Principal Regulation or the Subsidiary Regulation;

“authorised person” means a person duly authorised in writing by the Secretary of State for the purposes of these Regulations;

“import” means introduce into the Community;

“imported unlawfully” means introduced into the Community contrary to the provisions of the Principal Regulation or the Subsidiary Regulation;

“premises” includes any place, and, in particular, includes any vehicle, vessel, aircraft, hovercraft, tent or movable structure;

“Principal Regulation” means Council Regulation (EC) No. 338/97(1) on the protection of species of wild fauna and flora by regulating trade therein;

“registered veterinary surgeon” means a person who is registered in the register of veterinary surgeons under section 2 of the Veterinary Surgeons Act 1966(2);

“Subsidiary Regulation” means Commission Regulation of (EC) No. 939/97(3) on the implementation of Council Regulation (EC) No. 338/97 on the protection of wild species of fauna and flora by regulating trade therein.

(2) For the purposes of these Regulations references to a permit or certificate are references to any of the following—

- (a) an import permit of the kind referred to in Article 4 of the Principal Regulation;
- (b) an export permit or re-export certificate of the kind referred to in Article 5 of the Principal Regulation;
- (c) a certificate of any of the kinds referred to in Article 10 of the Principal Regulation;
- (d) a certificate of the kind referred to in Article 18 of the Subsidiary Regulation;
- (e) a label of the kind referred to in Article 7(4) of the Principal Regulation;
- (f) in so far as, in accordance with Article 43 of the Subsidiary Regulation, reliance may be placed on a permit or certificate issued under Council Regulation (EEC) No. 3626/82(4)

(1) OJ No. L 61, 3.3.1997, p.1.

(2) 1966 c. 36.

(3) OJ No. L

(4) OJ No. L 384, 31.12.82, p.1.

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and Commission Regulation (EEC) No. 3418/83⁽⁵⁾, a permit or certificate issued under those Regulations.

(3) Unless the context otherwise requires, expressions used in these Regulations, and which are also used in the Principal or Subsidiary Regulations, shall have the meaning they bear in those Regulations.

(4) Any reference in these Regulations to a numbered paragraph is a reference to the paragraph so numbered in the regulation in which the reference appears.

⁽⁵⁾ OJ No. L 344, 7.12.83, p.1.