
STATUTORY INSTRUMENTS

2022 No. 288

**The Ivory Act 2018 (Commencement No. 2
and Transitional Provision) Regulations 2022**

Transitional provision in relation to contracts in the course of performance

- 5.—(1) This regulation applies where—
- (a) before 6th June 2022, a contract has been agreed which would, but for this regulation, involve dealing which is prohibited under section 1 of the Act, and
 - (b) on 6th June 2022, the contract is in the course of performance.
- (2) For the purposes of this regulation, a contract falling under paragraph (1)(a) is in the course of performance where, before 6th June 2022—
- (a) money or other valuable consideration has been paid or provided by one person (‘the buyer’) to another person (‘the seller’) under a contract of sale, but on 6th June 2022 the item which is the subject of the contract has not yet been received by the buyer,
 - (b) the item which is the subject of a contract of sale has been received by the buyer, but on 6th June 2022 the seller has not yet received payment for that item,
 - (c) a contract for hire of an item relating to a period falling after or partly after 6th June 2022 has been agreed, or
 - (d) a contract involving the import or export of an item has been agreed, and the item which is the subject of the contract has been despatched but on 6th June 2022 has not yet been received by the buyer or hirer.
- (3) Where this regulation applies, an act done during the specified period in pursuance of a contract falling under paragraph (1) is to be treated as if it were not a prohibited act.
- (4) In paragraph (3), “the specified period” means the period of 28 days beginning with the 6th June 2022 and ending at the end of 3rd July 2022.