
STATUTORY INSTRUMENTS

1996 No. 2677

ANIMALS

The Endangered Species (Import and Export) Act 1976 (Amendment) Order 1996

<i>Made</i>	- - - -	<i>19th October 1996</i>
<i>Laid before Parliament</i>		<i>25th October 1996</i>
<i>Coming into force</i>		
<i>Articles 1 to 4</i>		<i>15th November 1996</i>
<i>Article 5</i>		<i>16th November 1996</i>

The Secretary of State, having consulted the scientific authorities to which the duty referred to in section 2(4) of the Endangered Species (Import and Export) Act 1976⁽¹⁾ is assigned, in exercise of the powers conferred on him by section 3(a) and (d)⁽²⁾ of that Act and of all other powers enabling him in that behalf, hereby makes the following Order:—

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Endangered Species (Import and Export) Act 1976 (Amendment) Order 1996 and, except for article 5, shall come into force on 15th November 1996.

(2) Article 5 shall come into force on 16th November 1996.

(3) In this Order “the Act” means the Endangered Species (Import and Export) Act 1976.

Amendment of Schedule 1 to the Act

2. Schedule 1 to the Act (Animals the importation and exportation of which are restricted)⁽³⁾ shall be amended by the substitution for all the words after “This Schedule applies to” of the words “the kinds of animal in relation to which Article II of Annex A to Council Regulation (EEC) No. 3626/82 on the implementation in the Community of the Convention on International Trade in Endangered Species of wild fauna and flora⁽⁴⁾, as amended, has effect”.

(1) 1976 c. 72.

(2) Section 3 was amended by the Wildlife and Countryside Act 1981 (c. 69), section 15(1) and Schedule 10.

(3) Schedule 1 was substituted by S.I.1982/1230.

(4) OJ No. L 384, 31.12.82, p. 1; relevant amending instruments are OJ No. L 87, 31.3.1988, p. 67, OJ No. L 57, 15.3.95, p. 1, OJ No. L 284, 28.11.95, p. 3.

Amendment of Schedule 2 to the Act

3. Schedule 2 to the Act (Plants the importation and exportation of which are restricted)(5) shall be amended—

- (a) by the insertion after the words “This Schedule applies to the kinds of plant specified in the second column below” of the words “, except that in relation to *Araucaria araucana* this Schedule applies only in relation to the population of Chile,” and
- (b) by the deletion of references to the kinds of plants specified in the Schedule to this Order.

Schedule 3 to the Act

4. Schedule 3 to the Act (Items the importation and exportation of which are restricted)(6) shall not apply to any item mentioned in the Schedule unless the importation and exportation of that item is subject to Article II of Annex A to Council Regulation (EEC) No. 3626/82 on the implementation in the Community of the Convention on International Trade in Endangered Species of wild fauna and flora, as amended.

Revocation

5. The Endangered Species (Import and Export) Act 1976 (Modification) Order 1982(7), the Endangered Species (Import and Export) Act 1976 (Modification) Order 1983(8) and the Endangered Species (Import and Export) Act 1976 (Variation) Order 1985(9) are hereby revoked.

Signed by the authority of the Secretary of State

19th October 1996

James Clappison
Parliamentary Under Secretary of State
Department of the Environment

(5) Schedule 2 was substituted by S.I. [1982/1230](#).

(6) Schedule 3 was substituted by S.I. [1982/1230](#), relevant amending instruments are S.I. [1983/1609](#), [1985/1502](#).

(7) S.I. [1982/1230](#).

(8) S.I. [1983/1609](#).

(9) S.I. [1985/1502](#).

SCHEDULE

Article 3

PLANTS THE IMPORTATION AND EXPORTATION
OF WHICH ARE NO LONGER RESTRICTED

Family	Kind
Apocynaceae	Pachypodium
Araceae	Alocasia sanderana
	Alocasia zebrina
Araliaceae	Panax quinquefolius
Asclepiadaceae	Ceropegia
	Frerea indica
Byblidaceae	Byblis
Cactaceae	Cactaceae
Caryocaraceae	Caryocar costaricense
Caryophyllaceae	Gymnocarpos przewalskii
	Melandrium mongolicus
	Silene mongolica
	Stellaria pulvinata
Cephalotaceae	Cephalotus follicularis
Chloanthaceae	Australian populations of all species
Cyatheaceae	Cyatheaceae
Cycadeceae	Cycadaceae
Dicksoniaceae	Dicksoniaceae
Didiereaceae	Didiereaceae
Dioscoreaceae	Dioscorea deltoidea
Euphorbiaceae	Any species of the genus Euphorbia which is a succulent
Fagaceae	Quercus copeyensis
Gentianaceae	Prepusa hookeriana
Gnetaceae	Gnetum montanum
Haemodoraceae	Anigozanthos
	Macropidia fuliginosa
Humiriaceae	Vantanea barbourii
Juglandaceae	Engelhardtia pterocarpa

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Family	Kind
Leguminosae	Ammopiptanthus mongolicum
	Cynometra hemitomophylla
	Platymischium pleiostachyum
	Tachigalia versicolor
	Thermopsis mongolica
Liliaceae	Aloe
Magnoliaceae	Talauma hodgsonii
Melastomataceae	Lavoisiera itambana
Meliaceae	Guarea longipetiola
	Swietenia humilis
Moraceae	Batocarpus costaricensis
Myrtaceae	Verticordia
Orchidaceae	Orchidaceae
Palmae	Areca ipot
	Chrysalidocarpus decipiens
	Chrysalidocarpus lutescens
	Neodopsis decaryi
	Phoenix hanceana var philippinensis
	Zalacca clemensiana
Papaveraceae	Meconopsis regia
Pinaceae	Abies nebrodensis
Podocarpaceae	Podocarpus costalis
	Podocarpus nerifolius
Portulacaceae	Anacampseros
Primulaceae	Cyclamen
Proteaceae	Banksia
	Conospermum
	Dryandra formosa
	Dryandra polycephala

Family	Kind
	Xylomelum
Rutaceae	Boronia
	Crowea
	Geleznovia verrucosa
Sarraceniaceae	Darlingtonia californica
Saxifragaceae (Grossulariaceae)	Ribes sardoum
Solanaceae	Solanum sylvestre
Stangeriaceae	Stangeriaceae
Sterculiaceae	Basiloxylon excelsum
Tetracentraceae	Tetracentron
Thymelaeaceae	Pimelea physodes
Ulmaceae	Celtis aetnensis
Verbenaceae	Caryopteris mongolica
Welwitschiaceae	Welwitschiaceae
Zamiaceae	Zamiaceae
Zingiberaceae	Hedychium philippinense
Zygophyllaceae	Guaiacum sanctum

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the provisions of the Endangered Species (Import and Export) Act 1976 (“the Act”), which restricts the importation, exportation and sale of endangered species.

Articles 2 and 3 and the Schedule to the Order remove from Schedules 1 and 2 to the Act (Animals and plants the import and export of which are restricted) certain kinds of animal and plant. Article 4 removes from the effect of Schedule 3 to the Act (Items the import and export of which are restricted) certain plant and animal derivatives.

The effect of these provisions is to remove all the import and export controls imposed by the Act other than those which duplicate the controls imposed by Council Regulation 3626/82 on the implementation in the Community of the Convention on International Trade in Endangered Species of wild fauna and flora, as amended.

Article 5 revokes the Endangered Species (Import and Export) Act 1976 (Modification) Order 1982, the Endangered Species (Import and Export) Act 1976 (Modification) Order 1983 and

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the Endangered Species (Import and Export) Act 1976 (Variation) Order 1985, which make Amendments to the Act which are superseded by those made by this Order.