

## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations amend the retained EU law version of [Commission Regulation \(EC\) No 865/2006](#) 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.

The retained EU law version of Article 12(4) of Council Regulation (EC) No 338/97 on the protection of species of wild fauna and flora by regulating trade therein provides for the management authority to authorise the introduction, export or re-export of specimens of endangered species through a customs office which has not been designated under Article 12(1). The authorisation must be in accordance with criteria set out by the Secretary of State in regulations.

Regulation 2 inserts a provision into the retained EU law version of [Commission Regulation \(EC\) No 865/2006](#), setting out these criteria. It also inserts a provision so that a reference to a designated customs office is treated as a reference to the non-designated customs office which is the subject of the authorisation under Article 12(4).

An impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sector is foreseen.