

The CITES Bulletin

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<http://www.ukcites.gov.uk>

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The CITES Bulletin is, as the name suggests, aimed at CITES permit applicants, trade representative groups and other interested parties. However, as the Wildlife Licensing and Registration Service (WLRs) is also responsible for the registration of certain species of birds under the Wildlife and Countryside Act 1981, Bulletins may also carry occasional articles relevant to our customers in this area.

Transporter Authorisations

From 5 January 2007, anyone transporting any live vertebrate animals inside the European Union on journeys of over 65km (approximately 40 miles) as part of an economic activity must hold a valid Authorisation to do so. This is a requirement of EC Regulation 1/2005 that will be applicable across the EU. Authorisations will be issued by the State Veterinary Service and will last for 5 years.

Two types of Authorisation are available:

- i) short journey Authorisation (type 1) for journeys over 65km and up to and including 8 hours.
 - ii) long journey Authorisation (type 2) which covers all journeys, including those **over** 8 hours
- Anyone requiring an Authorisation will need to submit an application form to the Welfare in Transport Team, based at Worcester. Further guidance, including contact details for the Welfare in Transport Team, are available on the internet at www.defra.gov.uk/animalh/welfare

Charges for CITES licences

There have been no increases to the fees for CITES since 1997. A full public consultation was undertaken in 2004, with over 900 responses from individual and organisations. Ministers at that time decided new charges should nominally increase to between £10 and £25. This decision was communicated to traders in January 2006, indicating that price increases would take effect from 1 October 2006. The revised fee schedule has **not** been introduced.

The issue of fees continues to be reviewed, since this was last done several years ago. Defra is looking at the question, and will continue to do so, but that consideration is an **ongoing review**.

Once the questions, issues and proposals have been identified a full public consultation may take place. At this stage, however, a timescale for the review and any resultant consultation has yet to be agreed.

Commission Regulation 865/2006

[Commission Regulation 865/2006](#) (Implementing Regulation) came into force 9 July 2006. This regulation implements the resolutions and decisions agreed at the 12th Conference of CITES parties held in 2002. It introduces some major changes, including new forms to aid the cross-border movement of travelling exhibitions and pets. The Regulations also bring in new registration schemes for traders in biological samples, dead specimens, travelling exhibitions and pets. In addition, all tins of caviar imported, exported or marketed in the EU will have to bear a label certifying that the caviar is legally-sourced and all caviar re-packaging plants must be licensed.

Changes to our policy of issuing Article 10 certificates for species also requiring a licence under the Habitats Directive (92/43/EEC) England & Wales only

Article 8.4 of EC Regulation 338/97 requires that any licences issued for the sale of Annex A specimens must be in accordance with the requirements of other Community legislation on the conservation of wild fauna and flora. We have recently taken the decision not to issue an Article 10 certificate for any specimen of a species also listed on Annex IV, unless a licence has also been issued under the Habitats Regulations.

In order to reduce the administrative burden on traders in these crossover species, we have agreed with the licensing authorities in England (Natural England) and Wales (NAWAD) that applications for the sale of such specimens should be made to the CITES licensing team, and they will be copied to NE or NAWAD as appropriate. Licences will only be granted if applications meet the criteria for both licensing regimes - that is, you will either be granted both licences or both will be refused.

Traders should be aware that changes to the Habitats Regulations will come into force in early March 2007 which will mean that licences for species listed on Annex IV of those Regulations may be issued for similar purposes as under CITES such as Education, Scientific or Biomedical research, or Zoological purposes subject to the derogation test being met. For further information please contact jane.goodwin@defra.gsi.gov.uk.

Consultation on the Registration of certain species listed on Schedule 4 of the Wildlife & Countryside Act 1981

Please send us your comments on which birds should be registered under section 7 of the Wildlife and Countryside Act 1981. We published a consultation on this subject on 1 November and you have until 16 February to give us your views on the various options proposed. The consultation document, which can be found at <http://www.defra.gov.uk/corporate/consult/current.htm>, asks you to comment on which species should be listed on Schedule 4, and includes an analysis of potential additions and deletions from the Schedule. It also asks you to comment on whether registration should be required for the following categories of birds:

- Captive bred specimens
- Hybrids and species which do not occur naturally within the EU territory
- Specimens that have already been issued with CITES documentation

Responses should be sent to Mark Britton, Zone 1/17 Temple Quay House, 2 The Square, Bristol BS1 6EB, or emailed to mark.britton@defra.gsi.gov.uk by 16 February 2007.

Transfer of Wildlife Licensing and registration Service to the State Veterinary Service (SVS)

We mentioned in the Autumn 2005 edition of this Bulletin that proposals were being worked up to transfer the Wildlife Licensing and Registration Service (WLRS) - which deals with CITES animal and plant licensing and bird registration, and now also includes the Wildlife Inspectorate - from within Defra to the State Veterinary Service (SVS), a Defra executive agency.

Original plans for the transfer to take place in spring 2006 were unavoidably delayed but arrangements are now forging ahead, with WLRS now expected to transfer in April 2007.

The WLRS transfer is part of wider changes which will see many delivery functions move out of their "parent" Departments into new or expanded thematic bodies. This process is already well under way, with the creation from October this year of the new non-departmental public body (NDPB) "Natural England", bringing together English Nature and parts of the Countryside Agency and Rural Development Service.

Under these changes SVS will also become a brand new agency. It has already widened its responsibilities to include those of the Dairy Hygiene Inspectorate; from April next year, as well as taking in WLRS, SVS will absorb the Egg Marketing Inspectorate and then be re-launched with a new name and identity to mark its wider remit and responsibilities (although the new name has yet to be decided - hopefully we'll be able to update you on this in the next edition!).

The creation of these and other new bodies is intended to simplify delivery structures, reduce duplication of work between delivery bodies, increase effectiveness by joining-up objectives and facilitate "one-stop-shops" for customers and stakeholders.

Although WLRS will become part of the new SVS-based body from next April, there will be no changes to the staff currently delivering this service and WLRS will remain based in Bristol's Temple Quay House. This should ensure a seamless transition and enable the current good links between WLRS teams and scientific authorities, enforcement agencies, customers and stakeholders to be maintained. It will also guarantee continued close contact between CITES licensing teams and those dealing with CITES policy, which will remain in core Defra.

Defra (Wildlife Species Conservation Division) will also remain the designated CITES Management Authority for the UK, with the new SVS-based body designated as an additional management authority for the purposes of providing the CITES licensing service in the UK.

Enforcement Cases

Following a search of his home by Norfolk police, Michael Barclay was charged with a number of offences relating to the purchase of stuffed birds of prey (including Peregrine falcons, Barn owls, a Tawny owl and a Sparrowhawk) without Article 10 certificates; Barclay also admitted four further charges of illegally possessing stuffed wild birds and eggs. John Metcalf from Leicestershire, faced charges of selling birds to Barclay without the necessary Article 10 certificates. Following a trial at Norwich Crown Court, Michael Barclay was found guilty and sentenced to four months in prison and ordered to pay £30,000 prosecution costs; John Metcalf was also found guilty and given a two month prison sentence suspended for 12 months and ordered to pay £8,300 costs.

In November 2004, officers for the Metropolitan Police Wildlife Crime Unit executed search warrants on premises belonging to George F Trumper Ltd (a company specialising in gentleman's grooming accessories). Other premises in Gloucestershire and Somerset were also searched as part of the same investigation. As a result, some 24 ivory items were found and seized; these items included shaving brushes, hairbrushes, glove stretchers and an elephant tusk. Some of the items were on sale for up to £1,100. The company were subsequently charged with keeping ivory items for sale without Article 10 certificates. At Westminster Magistrates Court, they pleaded guilty to all charges and were fined £10,000 and the ivory items confiscated.

If you have any information relating to international illegal trade in endangered species, illegal trade within the UK or the EU, you can leave details on our CITES Enforcement website at : Wildlife.enforce@defra.gsi.gov.uk Or you can call any member of our Enforcement Team

Most allegations are referred to the enforcement authorities. The more information you are able to supply the more likely it is that they will be able to take successful action. **All information received is treated in the strictest confidence.**

UK National Wildlife Crime Unit

A launch ceremony for the UK National Wildlife Crime Unit took place on 18 October at 'Our Dynamic Earth' in Edinburgh and was attended by representatives from the Unit, Police, Government and NGOs. Barry Gardiner (Minister for Biodiversity, Landscape and Rural Affairs) officially launched the unit along with Chief Constable Paddy Tomkins of Lothian and Borders Police, the Scottish Executive and HM Revenue and Customs.

The unit was established following a successful four year pilot and originally functioned from within the National Criminal Intelligence Service (NCIS) as a focal point to gather, analyse and disseminate intelligence nationally. Initial support was provided by Defra, the Scottish Executive, the Association of Chief Police Officers, HM Revenue and Customs, and the Home Office. Its function was to help in the fight against wildlife crime by providing law enforcement officers with actionable intelligence to target and disrupt serious wildlife crimes and the people who commit them.

In May 2006 following an announcement that the Unit had received funding to secure its immediate future the Unit relocated to premises on the outskirts of Edinburgh. At the same time it is expanding, broadening its remit, and establishing an operational role. The UK Government has contributed an extra £200,000 to support these developments, with the Association of Chief Police Officers providing up to an additional £67,000.

The NWCU website can be found here <http://www.nwcu.police.uk/>

Designed and edited by Pete Barrett

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