

Statutory Document No. 2011/0956



Endangered Species Act 2010

ENDANGERED SPECIES ORDER 2011¹

Laid before Tynwald: 13 December 2011
Approved by Tynwald: 13 December 2011
Coming into Operation: 1 January 2012

The Department of Environment, Food and Agriculture, after consulting the Wildlife Committee, makes this Order under section 4 of the Endangered Species Act 2010¹.

1 Title

This Order is the Endangered Species Order 2011.

2 Commencement

This Order comes into operation on 1 January 2012.

3 Interpretation

In this Order —

“**the Act**” means the Endangered Species Act 2010;

“**the 1996 Regulation**” means Council Regulation (EC) No. 338/97 of 9 December 1996 on the protection of species of wild fauna and flora by regulating trade therein², as it —

- (a) forms part of the law of England and Wales by virtue of section 3 of the European Union (Withdrawal) Act 2018 (of Parliament); and
- (b) as it has effect there from time to time.²

4 Designation of species

Subject to articles 5 and 6, for the purposes of the Act —

- (a) any species of animal or plant listed in Annex A to the 1996 Regulation is designated as falling within Class A;

¹ 2010 c.7

² OJ L 61, 3.3.1997, p.1

- (b) any species of animal or plant listed in Annex B to the 1996 Regulation is designated as falling within Class B;
- (c) any species of animal or plant listed in Annex C to the 1996 Regulation is designated as falling within Class C.

5 Treatment of certain specimens

For the purposes of the Act (except section 13) —

- (a) an animal of a Class A species which was born and bred in captivity shall be treated as an animal of Class B, or
- (b) a plant of a Class A species which was artificially propagated shall be treated as a plant of Class B.

6 Treatment of hybrids

(1) For the purposes of the Act —

- (a) subject to sub-paragraph (b), an animal or plant shall be treated as an animal or plant of a prescribed species if at least one of its parents is of a prescribed species;
- (b) where the parents of an animal or plant are of species of different prescribed classes, the animal or plant shall be treated as of the species of the higher class.

(2) For the purpose of paragraph (1)(b) —

- (a) Class A is higher than Class B, and
- (b) Class B is higher than Class C.

MADE 15 NOVEMBER 2011

ENDNOTES

Table of Endnote References

¹ The format of this legislation has been changed as provided for under section 75 of, and paragraph 2 of Schedule 1 to, the Legislation Act 2015. The changes have been approved by the Attorney General after consultation with the Clerk of Tynwald as required by section 76 of the Legislation Act 2015.

² Definition of “the 1996 Regulation” amended by SD2023/0123.