

GUYANA
BILL NO. OF 2016
WILDLIFE CONSERVATION AND MANAGEMENT BILL 2016

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A BILL
Intituled

AN ACT to provide for the protection, conservation, management, sustainable use,
internal and external trade of Guyana’s wildlife.

A.D. 2016 Enacted by the Parliament of Guyana:-

PART I

PRELIMINARY

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|-----------------------------------|--|
| Short title and commencement. | 1. This Act may be cited as the Wildlife Conservation and Management Act 2016 and shall come into operation on a date appointed by order of the Minister. |
| Interpretation. | 2. (1) In this Act – |
| First, Second and Third Schedules | <div style="margin-left: 40px;">(a) “animal” means any specimen, whether living or dead, of any species of wild fauna specified in the First, Second and Third Schedules, any other wildlife and includes any egg, sperm, tissue culture or embryo of any such animal; and includes any vertebrate and invertebrate or any part and derivative of them, but does not include any domestic animal;</div> <div style="margin-left: 40px;">(b) “animal reproductive material” means –<div style="margin-left: 40px;">(i) an egg, sperm, or embryo of an animal; or</div><div style="margin-left: 40px;">(ii) any other part, or product of an animal from which another animal can be produced;</div></div> <div style="margin-left: 40px;">(c) “animal specimen” means –<div style="margin-left: 40px;">(i) any animal;</div><div style="margin-left: 40px;">(ii) any animal reproductive material;</div><div style="margin-left: 40px;">(iii) any tissue including the flesh, skin, bone, blood, lymph, scales, feather, horns or shell of any animal; and</div><div style="margin-left: 40px;">(iv) any readily recognisable part or derivative of a species specified in the First, Second and Third Schedules or any other wildlife;</div></div> |
| First, Second and Third Schedules | <div style="margin-left: 40px;">(d) “approved institution” means an institution</div> |

declared by the Commission under section 62 to be an approved institution in relation to a particular wildlife species or group of species;

- (e) “approved person” means a person declared by the Commission under section 62 to be an approved person in relation to a particular wildlife species or group of species;
- (f) “artificially propagated” refers to live plants grown from seeds, cuttings, divisions, callus tissues or other plant tissues, spores or other propagules in a controlled environment for the purposes of trade;
- (g) “Artificial Propagation Certificate” means a certificate issued in accordance with section 21;
- (h) “Artificial Propagation Operation Licence” means a licence issued in accordance with section 20;
- (i) “authorised person” means any institution, person or body authorised by the Commission to enforce this Act;
- (j) “bred in captivity” means bred in a controlled environment of an offspring of any animal reproductive material, whether sexual or asexual for the purposes of trade;
- (k) “breeding stock” means the animals in the captive breeding operation that are used for reproduction;
- (l) “Captive Bred Certificate” means a certificate issued in accordance with section 17;
- (m) “Captive Breeding Operation Licence” means a licence issued in accordance with section 16;
- (n) “Certificate of Introduction from the Sea” means a certificate issued in accordance with section 29;
- (o) “Commercial Export Licence” means a licence issued in accordance with section 49;
- (p) “Commercial Import Licence” means a licence issued in accordance with section 49;
- (q) “Commission” means the Guyana Wildlife Conservation and Management Commission

established by section 4;

- (r) “controlled environment” means –
 - (i) in relation to an animal or animal reproductive material, an environment which –
 - (A) is manipulated by human intervention for the purpose of producing a selected species or quality of animals or animal reproductive material;
 - (B) has boundaries designed to prevent animals, eggs or gametes of the species from entering or leaving the controlled environment;
 - (C) includes facilities such as artificial housing, waste removal, health care, protection from predators and artificial food supply;
 - (D) is managed in a manner to maintain the breeding stock indefinitely, save and except in the case of ranching;
 - (ii) in relation to plants, an environment which –
 - (A) is manipulated by human intervention for the purposes of producing selected species or hybrids of plants or plant reproductive material;
 - (B) includes tillage, fertilization, weed control, drainage, irrigation or nursery operations, including potting, bedding or protection from weather; or
 - (C) is managed in a manner designed to maintain the breeding stock indefinitely;
- (s) “Convention” or “CITES” means the Convention on International Trade in Endangered Species of Wild Fauna and Flora which came into force on the 25th day of August 1977 and any amendments to it as are adopted, from time to time, by the State of Guyana;
- (t) “cultivated” means a plant grown by horticultural methods in a human controlled environment for its produce;

- (u) “derivative” in relation to an animal, plant or other organism, means any part, tissue or extract, of an animal, plant or other organism, whether fresh, preserved or processed, and includes any chemical compound derived from such part, tissue or extract;
- (v) “domestic” means species in which the evolutionary process has been influenced by humans to meet their needs;
- (w) “export” with its grammatical variations and cognate expressions means to take or cause to be taken out of Guyana;
- (x) “Export Permit” means a permit issued in accordance with section 29;
- (y) “Holding Premises Licence” means a licence issued in accordance with section 54;
- (z) “import” with its grammatical variations and cognate expressions means the bringing in, causing to be brought in or the introduction of a specimen into Guyana by land, air or water, otherwise than in transit or by transshipment;
- (aa) “Import Permit” means a permit issued in accordance with section 29;
- (bb) “in transit” includes any occasion on which a specimen remains on board an aircraft, ship or other form of transport and is in the process of being transported to a named consignee;
- (cc) “internal trade” means any commercial activity, including, but not limited to, sale, purchase and manufacture, within territory under the jurisdiction of Guyana;
- (dd) “introduction from the sea” means the transportation into Guyana of a specimen which is taken from the marine environment not under the jurisdiction of any state including the air space above the sea and the sea-bed and subsoil beneath the sea;
- (ee) “IATA Regulations” means the International Air Transport Association Live Animals Regulations;

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- (ff) “label” means a piece of paper, card, or other material bearing the acronym 'CITES' and approved by the Commission for the identification of contents as herbarium specimens, preserved, dried or embedded museum specimens or live plant material for scientific study;
- (gg) “Management Authority” means the national administrative body designated in accordance with Article IX, paragraph 1(a) of the Convention and shall have the same meaning as “Commission” within this Act;
- (hh) “mark” means any indelible imprint, seal, non-reusable tag, microchip, ring or other recognised means of identifying a specimen, designed in such a manner as to render its imitation by unauthorised persons as difficult as possible;
- (ii) “plant” means any member of the plant kingdom of wild flora, whether alive or dead, in any stage of biological development, and any part or derivative of these, but does not include timber species managed under the Forests Act, save for those listed in the First, Second and Third Schedules, nor does it include cultivated species;
- (jj) “plant reproductive material” means –
 - (i) a seed or spore of a plant;
 - (ii) a cutting from a plant; or
 - (iii) any other part or product of a plant from which another plant can be produced;
- (kk) “plant specimen” means:
 - (i) a plant;
 - (ii) plant reproductive material;
 - (iii) any article wholly produced by or from or otherwise wholly derived from a single plant; or
 - (iv) any readily recognisable part or derivative of a species specified in the First, Second and Third Schedules or any other wildlife;

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- (ll) "primarily commercial purposes" means all purposes whose non-commercial aspects do not clearly predominate;
- (mm) "quota" means the prescribed number or quantity of specimens that can be harvested, exported or otherwise used over a specific period of time;
- (nn) "ranch" means a facility where wild animals are reared, in a controlled environment, from specimens, and offspring from specimens taken from the wild for the purposes of trade; ranching has a similar meaning as the context requires;
- (oo) "readily recognisable part or derivative of a species" includes any specimen which appears from its label, mark, description or any package or document accompanying it, to be a part or derivative of a specimen specified in the First, Second and Third Schedules or any other wildlife;
- (pp) "recipient" means –
 - (i) in relation to a specimen that is exported, the person in the state to which the specimen is exported; who is to have the care and custody of that specimen; and
 - (ii) in relation to a specimen that is imported, the person in Guyana who is to have the care and custody of that specimen;
- (qq) "Re-Export Certificate" means a certificate issued in accordance with section 29;
- (rr) "relevant authority" in relation to a state, means –
 - (i) in the case of a Convention State, the Management Authority in that State; or
 - (ii) in relation to any other state, the competent authority of that state within the meaning of Article X of the Convention;
- (ss) "Rescue Centre" means an institution designated or established by the Commission to look after the welfare of living specimens of wildlife, particularly confiscated living specimens of wildlife;

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- (tt) “species” includes any sub-species, variety, form or geographically separate population, whether wild or domestic, of any species;
 - (uu) “specimen” means a single item of wildlife (living or non-living) specified in the First, Second and Third Schedules or any other wildlife and any part or derivative of it;
 - (vv) “sustainable use” means present use which does not compromise the right to use the same resource by future generations;
 - (ww) “transshipment” means, after goods have been unloaded or in any way removed from the means of transportation by which they came into Guyana, their loading, placing on board or within or upon the same or any other means of transportation without having been recorded as having been landed in Guyana;
 - (xx) “wildlife” includes any non-cultivated or non-domestic organism in the kingdoms of animals, plants, chromista, protista, prokaryota and fungi and any of their parts or derivative;
 - (yy) “Wildlife General Fund” means the Wildlife General Fund established under section 12;
 - (zz) “wildlife production system” means a system of wildlife production management that enhances the ecosystem and sustains biodiversity and includes wildlife, facilities and operations associated with artificial propagation, captive breeding and ranching of wildlife;
 - (aaa) “Wildlife Ranching Operation Licence” means a licence issued in accordance with section 24;
 - (bbb) “Wildlife Ranch Product Permit” means a permit issued in accordance with section 25;
 - (ccc) “Wildlife Scientific Committee” means the Wildlife Scientific Committee constituted by the Minister under section 8 which shall be the Scientific Authority in accordance with Article IX of the Convention.
- (2) For the purposes of this Act, where an article consists of or is derived from a specimen and other material, two or more specimens, or two or more specimens and other material, that

- article shall be deemed to be a separate article, being respectively –
- (a) that specimen and an article consisting of that material;
 - (b) each of those specimens; or
 - (c) each of those specimens and an article consisting of that material.
- (3) A reference in this Act to a state shall be read as including a reference to a place that is a territory, dependency, colony or province (however described) of that state.
- (4) For the purposes of this Act, a specimen shall be taken to have been imported into Guyana by way of introduction from the sea if, and only if, the specimen was taken in the marine environment not under the jurisdiction of any state and then imported into Guyana without having been imported into any other state.
- (5) For the purposes of this Act –
- (a) where a live animal (other than animal reproductive material) that was bred in captivity dies, the dead animal and any specimen derived from it shall be taken to be specimens derived from that live animal; and
 - (b) where a live plant (other than plant reproductive material) that was artificially propagated dies, the dead plant and any specimen derived from it shall be taken to be specimens derived from that live plant.
- (6) For the purposes of this Act, an activity may be described as commercial if–
- (a) its purpose is to obtain commercial benefit, including profit whether in cash or kind; and
 - (b) it is directed towards resale, exchange, or provision of a service or other form of economic use or benefit, so, however, that the burden of proof for showing the intended activity is not commercial shall rest with the person or body seeking to deal in such activity.
- (7) For the purposes of this Act, the doing of anything to or with a live animal or plant for the purposes of scientific research shall not be taken as failure to provide suitable care for the animal or plant, provided there be compliance with the guidelines stipulated by the Wildlife Scientific Committee.

PART II

SCOPE

- Schedules. **3.** (1) This Act applies to all wildlife species including those listed in –
- (a) the First Schedule which lists all species included in Appendix I of the Convention;
 - (b) the Second Schedule which lists all species included in Appendix II of the Convention;
 - (c) the Third Schedule which lists all species included in Appendix III of the Convention.
- Amendment of First, Second and Third Schedules. (2) (a) The First, Second and Third Schedules are automatically amended when amendments to Appendices I, II or III of CITES enter into force as amendments to the CITES Appendices, provided that:
- (i) Guyana has not entered a reservation to the amendments; and
 - (ii) the amendments are published in the *Gazette*.
- (b) Where Guyana has entered a reservation to the amendments to Appendices I, II and III of the Convention and subsequently withdraws the reservation, the amendments to the First, Second and Third Schedules shall come into force on the publication of the withdrawal of the reservation in the *Gazette*.
- (c) The Commission may, on the recommendation of the Wildlife Scientific Committee, propose to the Minister the transfer of a specimen from one Schedule to another.
- (3) The amendments to be made to the First, Second or Third Schedule shall be published in the *Gazette*, in at least one daily newspaper of general circulation in Guyana, and at the office of the Commission.

PART III

ADMINISTRATION

- Establishment and incorporation of the Guyana Wildlife Conservation and Management Commission. **4.** (1) There is established the Guyana Wildlife Conservation and Management Commission.
- (2) The Guyana Wildlife Conservation and Management Commission shall be a body corporate and the provisions of the Seventh Schedule shall have effect as to the constitution and proceedings of, and otherwise in relation to, the Commission.

Seventh Schedule

- (3) The Guyana Wildlife Conservation and Management Commission is designated as the CITES Management Authority for Guyana.

Power of the Minister to give directions to the Commission

- 5.** (1) The Minister may give to the Commission directions –
- (a) as to the policy to be followed by the Commission in the performance of its functions and the Commission shall comply with such directions.
 - (b) for the organization of the Commission to enable it to discharge its functions under this Act, including the size of the establishment, the employment of staff and the terms of employment, the provision of equipment and funds and the Commission shall comply with such directions.
- (2) In carrying out such measures of reorganization or such works of development as to involve a substantial outlay on capital account, the Commission shall act in accordance with a programme approved, from time to time, by the Minister.
- (3) In the exercise of its functions in relation to training, education and research, the Commission shall act in accordance with a programme approved by the Minister.
- (4) The Commission shall afford to the Minister information requested by the Minister in respect of the functions and business of the Commission and shall furnish the Minister with annual estimates, and such returns as the Minister may require.
- (5) The Commission shall provide the Minister with such facilities as will enable the verification of information furnished in pursuance of this section.
- (6) The power of the Minister to give directions to the Commission under this section shall extend to giving to the Commission directions as to –
- (a) the disposal of capital assets;
 - (b) the application of the proceeds of such disposals.
- (7) Any direction given under subsection (6) may require the whole or any part of the revenues of the Commission to be paid into the Consolidated Fund.

Functions of Commission.

- 6.** (1) The functions of the Commission shall be to –
- (a) take such steps as are necessary for the effective

management of wildlife so as to ensure its conservation, and sustainable use;

- (b) take such steps as are necessary for the management and conservation of wildlife against over-exploitation through importation, exportation, re-exportation and introduction from the sea;
- (c) develop and recommend strategies in the field of conservation, management and sustainable use of species of wildlife;
- (d) advise the Minister generally on matters relating to the conservation, management, and sustainable use of species of wildlife
- (e) advise the Minister generally on matters relating to the importation, exportation, re-exportation and introduction from the sea of species of wildlife;
- (f) devise measures for the protection of endangered or threatened species of wildlife;
- (g) provide recommendations to the Minister on measures for the protection of endangered or threatened ecosystems and habitats of species of wildlife;
- (h) identify and recommend to the Minister, areas for dedication to wildlife conservation and the cancellation of such dedications;
- (i) grant, amend and cancel licences, permits and certificates in respect of activities related to species of wildlife;
- (j) on the written approval of the Minister, implement the advice of the Wildlife Scientific Committee on whether or not a proposed export of a specimen specified in the First, Second or Third Schedules or any other wildlife will be detrimental to the survival of the particular species;
- (k) attach such terms and conditions to the grant to licences, permits and certificates as are approved by the Minister;
- (l) monitor and enforce compliance with the terms and conditions of licences, permits and certificates;
- (m) administer, promote and enforce compliance with the provisions of this Act and any other laws relating to

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wildlife;

- (n) disseminate information and promote education, training and awareness of wildlife conservation, management, sustainable use, the international wildlife trade and implementation of the Convention;
- (o) promote scientific research and knowledge of wildlife, within their natural habitats and for *ex situ* conservation management;
- (p) consult with the Wildlife Scientific Committee on the scientific aspects of the conservation, management and sustainable use of species of wildlife;
- (q) develop, implement and monitor collaborative arrangements for the conservation, management and sustainable use of wildlife;
- (r) coordinate, in consultation with stakeholders, the establishment and maintenance of wildlife conservation and management plans and programmes;
- (s) on a periodic basis, assess and report on the status of species of wildlife in Guyana in consultation and collaboration with other institutions;
- (t) advise the Minister on action to be taken for the implementation and enforcement of the Convention;
- (u) with the written approval of the Minister, designate ports of exit and entry through which species listed in the First, Second and Third Schedules or any other wildlife shall be imported, exported or re-exported;
- (v) advise on the compliance of the Government of Guyana with regional and international obligations and treaties relating to conservation, management and sustainable use of wildlife;
- (w) with the written approval of the Minister charge fees for such services as it provides as well as for such licences, permits, certificates and other permission that it may grant;
- (x) determine and cause to be published the annual “closed season” timeframe for the hunting, trapping and trade of species of wild fauna, which annual “closed season” timeframe shall be determined through the process of consultation with stakeholders and the conduct of scientific research on the said species and that of

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threatened species and species in population recovery in their natural habitat; such research shall include but not be limited to that of their nesting patterns, breeding cycles, reproduction units and mortality predictions;

- (y) promote cooperation with any agency of any country, international organisation, regional, national or other person or entity in matters relating to the conservation, management and sustainable use of wildlife;
- (z) promote the *ex-situ* and *in-situ* conservation of biological diversity and to contribute to the establishment of standards and regulations for that purpose;
- (aa) facilitate, promote and support mechanisms, whereby local indigenous villages may participate in the effective protection, conservation, management and sustainable use of wildlife on their titled lands;
- (bb) establish policies and procedures for the protection, conservation, management and sustainable use of wildlife by and for the benefit of all citizens of Guyana and in particular the communities and villages living in proximity to wildlife;
- (cc) devise measures to prevent trade in or possession of specimens specified in the First, Second and Third Schedules or any other wildlife in violation of this Act;
- (dd) promote and provide for the rescue, rehabilitation and return of wildlife to the wild;
- (ee) promote reforestation programmes of native species of wild flora and that of other species that are authorised by the Commission on the advice of the Wildlife Scientific Committee;
- (ff) cause to be established, facilities for rescued, injured, seized, confiscated and rehabilitated wildlife;
- (gg) cause to be established facilities for the quarantening of imported species of fauna and flora including those species imported for the purpose of re-exportation;
- (hh) carry out such other duties, functions and powers as may be prescribed or assigned to it under any other law; and
- (ii) perform such other functions related to the protection, conservation, management and sustainable use of

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wildlife as may be assigned to it, by the Minister.

- (2)
 - (a) The Commission, with the written consent of the Minister, may delegate to any institution, person or body, the Commission's powers and functions under this Act (other than this power of delegation) subject to such limitations, conditions and qualifications as the Minister may think fit.
 - (b) The delegation described in paragraph (a) shall be in writing.
 - (c) The delegate institution, person or body shall comply with any directions of the Commission in exercising powers or functions under the delegation.
 - (d) The Commission may, in the instrument of delegation, and with the written approval of the Minister authorise the sub-delegation of specified functions and powers subject to such limitations, conditions and qualifications as the Minister may think fit; in such a case, the institution, person or body to whom or which such sub-delegation may be made, shall be identified in the instrument of delegation.
 - (e) Where the power to delegate conferred by paragraph (a) is exercised, the Commission shall cause the name or title of the delegate institution, person or body and the subject matter of the delegation to be published in the *Gazette*.
 - (f) A power or duty delegated by the Commission under this section shall, if exercised or performed by the delegate, be exercised or performed in accordance with the instrument of delegation.
- (3) In the exercise of its function to determine and publish the annual "closed season" timeframe for the hunting, trapping and trade of species of wild fauna, the Commission shall cause such "closed season" timeframe to be published in the *Gazette* and in at least two newspapers of nation wide circulation.
- (4) Where the exercise of any function by the Commission under this Act or any other law is subject to the approval of the Minister, it shall not be necessary to obtain that approval if the Minister is the Chairperson of the Commission.

Duties of the
Commission.

7. The duties of the Commission shall be to –

- (a) advise the Minister on any matter relating to the

		protection, conservation, management and sustainable use of wildlife, at the request of the Minister or on its own initiative;
		(b) advise all relevant institutions and the public on any matter relating to the protection, conservation, management and sustainable use of wildlife, at the request of the Minister or on its own initiative;
		(c) review and propose, after consultation with the Wildlife Scientific Committee, guidelines, where necessary to the provisions of Part IX, regarding the method of transport, including container and other packaging requirements necessary for transport of a specimen specified in the First, Second and Third Schedules.
First, Second and Third Schedules		(d) to consult with the Wildlife Scientific Committee on –
		(i) matters under this Act which require consultation on scientific aspects of protection, conservation and management and sustainable use of wildlife; and
		(ii) matters regarding the amendment of the First, Second and Third Schedules;
		(e) to prepare annual reports regarding the importation, exportation, re-exportation and introduction from the sea of wildlife specified in the First, Second and Third Schedules or any other wildlife.
Establishment of the Wildlife Scientific Committee.	8.	The Minister may by order, appoint not less than five nor more than seven qualified persons to comprise the Wildlife Scientific Committee which shall be the CITES Scientific Authority of Guyana.
Functions of Wildlife Scientific Committee.	9.	(1) The functions of the Wildlife Scientific Committee shall be, but are not limited to, the following –
First, Second and Third Schedules		(a) to advise the Commission on matters relating to the importation, exportation, re-exportation and introduction from the sea of species specified in the First, Second or Third Schedule or any other wildlife.
		(b) to advise the Commission of the measures which should be taken including the establishment of quotas, to limit the grant of export permits when the population status of a species of wild flora and fauna so requires;
		(c) to recommend research which, in its opinion, is relevant to the protection of species of wild flora and fauna;

- (d) formulating and implementing or causing the formulation and implementation of programmes for the ranching of faunal species.
- (e) to perform such other functions pertaining to the protection, conservation, management and sustainable use of, including the trade in species of wildlife or any tasks foreseen in the Resolutions of the Conference of the Parties to the Convention as may be assigned to it, from time to time, by the Minister;

(2) The duties of the Wildlife Scientific Committee shall be –

- (a) to advise the Commission on whether or not, in case of a proposed import of a specimen specified in the First Schedule, the importation is detrimental to the survival of the particular species;
- (b) to advise the Commission on whether or not a proposed export or introduction from the sea of a specimen specified in the First, Second or Third Schedule or any other wildlife, will be detrimental to the survival of the particular species;
- (c) to advise, in case of a proposed import of a live specimen specified in the First or Second Schedule, whether or not it is satisfied that the proposed recipient of the specimen is suitably equipped to house and care for the specimen;
- (d) to monitor the export permits granted for any wildlife specified in the First, Second and Third Schedules and any other wildlife and authorisations given for the export of other wildlife not within the scope of section 3, as well as actual exports of such specimens; and to advise the Commission of suitable measures to be taken to limit the grant of export permits and authorisations when it has determined that it is necessary to maintain the species throughout its range at a level consistent with its role in the ecosystems, and well above the level at which that species may become eligible for inclusion in the First Schedule;
- (e) to advise the Commission on the guidelines for the disposal of confiscated specimens; and
- (f) to do all such things pertaining to the conservation and protection of species of wildlife, as are assigned to it by the Commission or the Minister from time to time.

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Third Schedules

- (3) The annual export quota established on the advice of the Wildlife Scientific Committee shall be published in the *Gazette* and where necessary be guided by the decisions of the Conference of the Parties to the Convention.
- Employment of Staff of the Commission. **10.** (1) The Commission may employ at such remuneration and on such other terms and conditions it thinks fit (including the payment of pensions, gratuities or other like benefits by reference to the service of its officers and other employees) a Commissioner and such other officers and other employees as the Commission considers necessary for the purpose of carrying out its functions:
- Provided that –
- (a) no salary in excess of such amount as may be specified in directions issued by the Minister shall be assigned to any office without the written approval of the Minister;
 - (b) no appointment shall be made to any office to which a salary, in excess of such amount as may be specified in such directions, is assigned without the written approval of the Minister;
 - (c) no provisions shall be made for the payment of any pensions, gratuities, or other like benefits to the officers and other employees of the Commission by reference to their service, without the written approval of the Minister.
- (2) The Commissioner shall be the chief executive officer of the Commissions and, subject to any general or special directions of the Commission, shall be responsible and answerable for the execution of the policy of the Commission to the Commission.
- Delegation of powers by the Minister. **11.** The Minister may, in writing, delegate any of the Minister's powers, other than the power to make subsidiary legislation under this Act, to the Commission subject to such limitations, conditions and qualifications as the Minister may think fit.
- Wildlife General Fund. **12.** There is established a Wildlife General Fund which shall be used to fund the operations of the Commission and for purposes authorised under this Act.
- Resources of the Fund. **13.** (1) The resources of the Wildlife General Fund shall consist of –
- (a) revenue obtained under this Act including penalties paid under Parts XIII and XIV;
 - (b) such sums as may be provided by Parliament;

- (c) such sums as may be allocated to the Commission from loan funds;
 - (d) all sums received by or falling due to the Commission in respect of the repayment of any loan made by the Commission and the interest payable in respect of any such loan;
 - (e) moneys earned or arising from any property, investments, mortgages and debentures acquired by or vested in the Commission;
 - (f) any property, mortgages, debentures or investments acquired by or vested in the Commission;
 - (g) sums borrowed by the Commission for the purpose of meeting any of its obligations or discharging any of its functions;
 - (h) such moneys or other assets as may accrue to, or vest in the Commission by way of grants, subsidies, bequests, donations or gifts;
 - (i) all other sums or property that may in any manner become payable to or vested in the Commission in respect of any matter incidental to its functions.
- (2) The charges on any amount which may be allocated to the Commission from loan funds shall be met by the Commission except that all or any part of such charges may be met out of monies provided by Parliament.
 - (3) Where there is a deficiency in the funds of the Commission such deficiency shall be met out of moneys provided by Parliament.
 - (4) For the purposes of this section, the expression "loan funds" means such sums as may be made available from time to time to the Government by way of a loan.

Accounts and
audit of the
Commission.

- 14.**
- (1) The financial year of the Commission shall be the period of twelve months ending on the 31st day of December in each year.
 - (2)
 - (a) The Commission shall keep proper accounts and other records in respect of its transactions and operations and such accounts and other records shall be audited by the Auditor General.
 - (b) The Minister may, at any time, appoint an auditor to examine the accounts of the Commission and to report on it to the Minister.

- (3) The members, officers and employees of the Commission shall grant to the Auditor General or any auditor appointed to audit the accounts of the Commission under subsection (2) access to all books, documents, cash and securities of the Commission and shall give to the Auditor General or the auditor on request all such information as may be within their knowledge in relation to the operations of the Commission.
- (4) The Auditor General or the auditor appointed under this section shall have the power to summon and examine all persons whom the Auditor General or the auditor shall think fit to examine for the purpose of obtaining information in connection with the examination and audit of the accounts of the Commission and respecting all other matters and things whatever necessary for the due performance of the functions vested in the Auditor General or the auditor; and if any person summoned is not a public officer or an employee of the Commission that person is entitled to payment for attendance as if the person were a witness attending a legal proceeding in obedience to a summons issued at the instance of the State.
- (5) Any person summoned under subsection (4) who, without reasonable excuse, makes default in obeying the summons is liable on summary conviction to a fine of not less than one hundred thousand dollars or in default of payment, to imprisonment of three months.
- (6) The Commission may write off bad debts.

Report of the
Commission.

- 15.** (1) The Commission shall not later than four months after the end of each financial year submit a report to the Minister containing -
 - (a) an account of its transactions throughout the preceding financial year in such detail as the Minister may direct; and
 - (b) a statement of the accounts of the Commission audited in accordance with section 14.
- (2) A copy of the report together with a copy of the Auditor General's report or that of the auditor shall be printed and laid before the National Assembly.

PART IV

CAPTIVE BREEDING OF ANIMALS

Breeding in
captivity.

- 16.** (1) (a) Any person who proposes to engage in an operation which involves activities related to the captive breeding of live animals shall, before commencing such activities,

Fourth Schedule

apply to the Commission for a licence to operate a Captive Breeding facility, called a Captive Breeding Operation Licence, accompanied by the appropriate fee prescribed in the Fourth Schedule and such information or document, if any, as the Commission may require.

- (b) In considering an application made under paragraph (a) the Commission shall –
 - (i) consult with the Wildlife Scientific Committee; and
 - (ii) give due regard to the decisions of the Conference of the Parties of the Convention.
 - (c) All operations licensed shall be registered as a Captive Breeding Operation by the Commission.
 - (d) A Captive Breeding Operation Licence may be issued on such conditions as the Commission deems appropriate and on payment of the fee prescribed in the Fourth Schedule.
 - (e) A Captive Breeding Operation Licence shall be valid for a period not exceeding five years.
- (2) For the purposes of this Part, a live animal shall be taken to have been bred in captivity only if, it was bred in circumstances in which the following criteria are met –
- (a) the specimen is, or is derived from, or otherwise produced in a controlled environment from either of the following –
 - (i) parents that mated or had gametes otherwise transferred in a controlled environment, if reproduction is sexual;
 - (ii) parents that were in a controlled environment when development of the offspring began, if reproduction is asexual;
 - (b) such other circumstances declared by the Commission to constitute bred in captivity based on resolutions and decisions of the Parties to the Convention and advice of the Wildlife Scientific Committee.
- (3) An animal specimen included in the First Schedule bred in captivity for commercial purposes shall be deemed to be a specimen included in the Second Schedule –

First, Second
Schedules

		(a)	where the breeding stock has itself produced second or subsequent generation offspring in a controlled environment; and
		(b)	where the specimen is the product of a Captive Breeding Operation registered in accordance with the decisions and resolutions of the Conference of Parties of the Convention.
Captive Bred Certificate.	17.		Where, in relation to the export of an animal specimen, the Commission is satisfied that the specimen was bred in captivity, the Commission shall issue a Captive Bred Certificate to that effect, which shall take the place of an Export permit required under section 27(1).
Property of the State.	18.		Where an animal is bred in captivity for scientific research and scientific exchange, unless otherwise agreed, every progeny of such animal shall remain the property of the State.
Cancellation of licence.	19.	(1)	The Commission may cancel a Captive Breeding Operation Licence –
		(a)	upon breach of a condition subject to which the Captive Breeding Operation Licence was granted;
		(b)	where the holder of the Captive Breeding Operation Licence contravenes any provision of this Act or any other law administered by the Commission;
Cap. 10:10		(c)	where the holder of the Captive Breeding Operation Licence has been found guilty of an offence under the Narcotic Drugs and Psychotropic Substances (Control) Act;
Cap. 10:11		(d)	where the holder of the Captive Breeding Operation Licence has been found guilty of an offence under the Anti-Money Laundering and Countering the Financing of Terrorism Act;
		(e)	where the Commission is satisfied that information which was misleading, false or deceptive was submitted to it in support of the application for the Captive Breeding Operation Licence and on the basis of which the licence was granted;
		(f)	upon failure of the holder of the Captive Breeding Operation Licence to keep accurate records in accordance with section 64;
		(g)	if the Commission is of the opinion that the Captive Breeding Operation Licence is not in the interest of Guyana; or

- (h) for any other reason where the Commission thinks it is proper to do so including, but not limited to, where the holder of the Artificial Propagation Operation Licence has been convicted of any criminal offence.
- (2) Where the Commission is considering the cancellation of a Captive Breeding Operation Licence, it shall –
- (a) notify in writing the person to whom the Captive Breeding Operation Licence was granted that cancellation of the Captive Breeding Operation Licence is being considered, together with the reasons for the proposed cancellation; and
 - (b) afford the holder of the Captive Breeding Operation Licence a reasonable opportunity to submit representations regarding the proposed cancellation including plans for the future care of all the animals that are the subject of the Captive Breeding Operation Licence;
 - (c) after having reached a decision on the cancellation of the Captive Breeding Operation Licence, the Commission shall –
 - (i) notify the Captive Breeding Operation Licence holder of the decision, in writing; and
 - (ii) if the decision is to cancel the Captive Breeding Operation Licence, such cancellation shall have effect on the date of issue of the cancellation notice and the holder shall also be instructed to return the licence immediately.

PART V

ARTIFICIAL PROPAGATION OF PLANTS

Artificial
Propagation
Operation
Licence.

Fourth Schedule

- 20.** (1) (a) Any person who proposes to engage in an operation which involves activities related to the artificial propagation of live plants shall, before commencing such activities, apply to the Commission for a licence to operate an artificial propagation facility, called an Artificial Propagation Operation Licence, accompanied by the appropriate fee prescribed in the Fourth Schedule and such information or document, as the Commission may require.
- (b) In considering an application made under paragraph (a), the Commission shall –

		<ul style="list-style-type: none"> (i) consult with the Wildlife Scientific Committee; (ii) give due regard to the decisions of the Conference of the Parties of the Convention.
		(c) The Artificial Propagation Operation Licence may be issued on such conditions as the Commission deems appropriate and on payment of the fee prescribed in the Fourth Schedule.
		(d) The Artificial Propagation Operation Licence shall be valid for a period not exceeding five years.
		(e) All operations licensed shall be registered as an Artificial Propagation Operation by the Commission.
		(2) For the purposes of this section, a live plant of a particular kind shall be taken to have been artificially propagated in the following circumstances –
		<ul style="list-style-type: none"> (a) the plant was grown from seeds, cuttings, divisions, callus tissues or other plant tissues, spores or other propagules in a controlled environment; (b) the seeds, cuttings, callus tissue, spores or other propagules are – <ul style="list-style-type: none"> (i) established and maintained in a manner that is not detrimental to the survival in the wild of that kind of plant; and (ii) managed in a manner designed to maintain the germ plasm stock indefinitely.
First, Second Schedules		(3) A plant specimen included in the First Schedule which is artificially propagated for commercial purposes shall be deemed to be a specimen included in the Second Schedule where the specimen is the product of an Artificial Propagation Operation registered in accordance with the decisions and resolutions of the Conference of Parties of the Convention.
Artificial Propagation Certificate.	21.	Where, in relation to the export of a plant specimen, the Commission is satisfied that the specimen was artificially propagated, the Commission shall issue an Artificial Propagation Certificate to that effect, which shall take the place of an Export Permit required under section 27(1).
Property of the State.	22.	Where a plant is artificially propagated for scientific research and scientific exchange, unless otherwise agreed in writing by the Minister, every progeny of such plant shall remain the property of the State.

Cancellation of
licence.

23. (1) The Commission may cancel an Artificial Propagation Operation Licence –

Cap. 10:10

Cap 10:11

- (a) upon breach of a condition subject to which the Artificial Propagation Operation Licence was granted;
 - (b) where the holder of the Artificial Propagation Operation Licence contravenes any provision of this Act or any other law administered by the Commission;
 - (c) where the holder of the Artificial Propagation Operation Licence has been found guilty of an offence under the Narcotic Drugs and Psychotropic Substances (Control) Act;
 - (d) where the holder of the Artificial Propagation Operation Licence has been found guilty of an offence under the Anti-Money Laundering and Countering the Financing of Terrorism Act;
 - (e) where the Commission is satisfied that information which was misleading, false or deceptive was submitted to it in support of the application for the Artificial Propagation Operation Licence and on the basis of which the licence was granted;
 - (f) upon failure of the holder of the Artificial Propagation Operation Licence to keep accurate records in accordance with section 64;
 - (g) if the Commission is of the opinion that the Artificial Propagation Operation Licence is not in the interest of Guyana; or
 - (h) for any other reason where the Commission thinks it is proper to do so.
- (2) Where the Commission is considering the cancellation of an Artificial Propagation Operation Licence, it shall –
- (a) notify in writing the person to whom the Artificial Propagation Operation Licence was granted that cancellation of the Artificial Propagation Operation Licence is being considered, together with the reasons for the proposed cancellation; and
 - (b) afford the holder of the Artificial Propagation Operation Licence a reasonable opportunity to submit representations regarding the proposed cancellation including plans for the future care of all the plants that are the subject of the Artificial Propagation Operation

Licence;

- (c) after having reached a decision on the cancellation of the Artificial Propagation Operation Licence, the Commission shall –
 - (i) notify the Artificial Propagation Operation Licence holder of the decision, in writing; and
 - (ii) if the decision is to cancel the Artificial Propagation Operation Licence, such cancellation shall have effect on receipt of the notice by the holder; and instruct the holder to return the Artificial Propagation Operation Licence immediately.

PART VI

WILDLIFE RANCHING

Wildlife
Ranching
Operation
Licence.

Fourth
Schedule

- 24.** (1) Any person who proposes to engage in an operation which involves activities related to the ranching of live animals shall, before commencing such activities, apply to the Commission for a licence to operate a wildlife ranching facility, called a Wildlife Ranching Operation Licence, accompanied by the appropriate fee prescribed in the Fourth Schedule and such information or document, if any, as the Commission may require.
- (2) In considering an application made under subsection (1) the Commission shall –
- (a) consult with the Wildlife Scientific Committee;
 - (b) ensure the compliance with any ranching programme developed by the Wildlife Scientific Committee pursuant to section 9(1)(d); and
 - (c) give due regard to the decisions and resolutions of the Conference of the Parties of the Convention.
- (3) The Wildlife Ranching Operation Licence may be issued on such conditions as the Commission deems appropriate and on payment of the fee prescribed in the Fourth Schedule.
- (4) The Wildlife Ranching Operation Licence shall be valid for a period not exceeding five years.
- (5) All operations licensed shall be registered as a Wildlife Ranching Operation by the Commission.

Wildlife Ranch

- 25.** Where, in relation to the export of an animal specimen, the

Product Permit.		Commission is satisfied that the specimen was the product of a Wildlife Ranching Operation, the Commission shall issue a Wildlife Ranch Product Permit to that effect, which shall take the place of an Export Permit required under section 27(1).
Cancellation of licence.	26.	<p>(1) The Commission may cancel a Wildlife Ranching Operation Licence –</p> <ul style="list-style-type: none"> (a) upon breach of a condition subject to which the Wildlife Ranching Operation Licence was granted; (b) where the holder of the Wildlife Ranching Operation Licence contravenes any provision of this Act or any other law administered by the Commission; (c) where the holder of the Wildlife Ranching Operation Licence has been found guilty of an offence under the Narcotic Drugs and Psychotropic Substances (Control) Act; (d) where the holder of the Wildlife Ranching Operation Licence has been found guilty of an offence under Anti-Money Laundering and Countering the Financing of Terrorism Act; (e) where the Commission is satisfied that information which was misleading, false or deceptive was submitted to it in support of the application for the Wildlife Ranching Operation Licence and on the basis of which the licence was granted; (f) upon failure of the holder of the Wildlife Ranching Operation Licence to keep accurate records in accordance with section 64; (g) if the Commission is of the opinion that the Wildlife Ranching Operation Licence is not in the interest of Guyana; or (h) for any other reason where the Commission thinks it is proper to do so. <p>(2) Where the Commission is considering the cancellation of a Wildlife Ranching Operation Licence, it shall –</p> <ul style="list-style-type: none"> (a) notify in writing the person to whom the Wildlife Ranching Operation Licence was granted that cancellation of the Wildlife Ranching Operation Licence is being considered, together with the reasons for the proposed cancellation;

Cap. 10:10

Cap. 10:11

- (b) afford the holder of the Wildlife Ranching Operation Licence a reasonable opportunity to submit representations regarding the proposed cancellation including plans for the future care of all the animals that are the subject of the Wildlife Ranching Operation Licence; and
- (c) after having reached a decision on the cancellation of the Wildlife Ranching Operation Licence, the Commission shall –
 - (i) notify the Wildlife Ranching Operation Licence holder of the decision, in writing; and
 - (ii) if the decision is to cancel the Wildlife Ranching Operation Licence, such cancellation shall have effect on receipt of the notice by the holder; and instruct the holder to return the Wildlife Ranching Operation Licence immediately.

PART VII

IMPORTATION, EXPORTATION, RE-EXPORTATION AND INTRODUCTION FROM THE SEA

- | | |
|--|--|
| Import Permit,
Export Permit
and Re-Export
Certificate.

First, Second and
Third Schedules | <p>27. (1) Except as provided in subsection (2), a person shall not import, export, or re-export any specimen of a species of wildlife specified in the First, Second and Third Schedules or any other wildlife, unless the person has an Import Permit, Export Permit or a Re-Export Certificate, as the case maybe, granted in accordance with the provisions of section 29.</p> <p>(2) Where the specimen of a species of wildlife to be exported under subsection (1) is an animal bred in captivity under section 16, an artificially propagated species under section 20 or an animal which is the product of a wildlife ranching operation under section 24, the person shall not export the specimen unless the person has a certificate granted under section 17 or 21 or a permit granted under section 25, as the case may be.</p> |
| Certificate of
Introduction from
the Sea.
First, Second
and Third
Schedules | <p>28. A person shall not introduce from the sea any specimen of a species of wildlife specified in the First, Second and Third Schedules or any other wildlife, unless the person has a Certificate of Introduction from the Sea granted in accordance with the provisions of section 29.</p> |
| Application for
Import Permit,
Export Permit,
Re-Export | <p>29. (1) Any person who proposes to import, export, re-export or introduce from the sea any wildlife specimen specified in the First, Second and Third Schedules or any other wildlife shall, before commencing any action related to the import, export, re-</p> |

Certificate and Certificate of Introduction from the Sea.		export or introduction from the sea of any wildlife specimen, apply to the Commission for an Import Permit, Export Permit, a Re-Export Certificate or a Certificate of Introduction from the Sea, as the case may be, in the manner prescribed in Form A of the Fifth Schedule, accompanied by the fee prescribed in the Fourth Schedule and such information or document as the Authority may require.
First, Second and Third Schedules Fifth Schedule Form A Fourth Schedule		
	(2)	An application under subsection (1) shall in the case of –
Second Schedule	(a)	an application for a permit to import any animal or plant specified in the Second Schedule shall be accompanied by a copy of a valid export permit issued and certified by the country of origin or a valid foreign re-export certificate issued by the country of re-export;
Third Schedule	(b)	an application for a permit to import any species specified in the Third Schedule shall be accompanied by –
	(i)	a certificate of origin; or
	(ii)	an export permit, where the species is being imported from a state which is Party to the Convention whose laws apply to that species;
	(c)	an application for a certificate to re-export any wildlife specified in the Third Schedule shall be accompanied by a certificate of origin or export permit pertinent to such animal or plant.
Amendment of application fees. Fourth Schedule	30.	The fees in respect of an application for a permit or certificate pursuant to section 29 prescribed in the Fourth Schedule, may be amended by the Commission, with the written approval of the Minister, at such times as are necessary by notice published in the <i>Gazette</i> .
Animal to be permanently marked. First Schedule	31.	<p>(1) A person shall not import or re-export an animal listed in the First Schedule, bred in captivity, unless the animal originates from a breeding operation registered by the Authority of the country of export and such animal bred in captivity has been permanently marked, wherever practicable, in a manner so as to render alteration or modification by an unauthorised person as difficult as possible.</p> <p>(2) A person shall not export an animal listed in the First Schedule, bred in captivity, unless the animal originates from a breeding operation registered by the Commission and such animal bred in captivity has been permanently marked, wherever practicable, in a manner so as to render alteration or modification by an unauthorised person as difficult as possible.</p>

Offences of importing and exporting.	32.	(1)	Any person who fails to comply with sections 27(1), 27(2) or 28 commits an offence and is liable on summary conviction to the penalties prescribed under paragraph D of the Sixth Schedule; and shall be disqualified from obtaining an Import Permit, Export Permit, a Re-Export Certificate or a Certificate of Introduction from the Sea for such period as the Magistrate determines.
Sixth Schedule			
		(2)	Any person who, while disqualified from holding an Import Permit, Export Permit, a Re-Export Certificate or a Certificate of Introduction from the Sea under subsection (1), obtains or attempts to obtain such permit or certificate commits an offence and is liable on summary conviction to the penalties prescribed under paragraph D of the Sixth Schedule.
Sixth Schedule			
		(3)	A person convicted of an offence under subsection (2) shall be disqualified for a period of not less than twelve months from the date of conviction from holding or obtaining an Import Permit, Export Permit, a Re-Export Certificate or a Certificate of Introduction from the Sea, and on a second conviction for a like offence shall be permanently disqualified from obtaining an Import Permit, Export Permit, a Re-Export Certificate or a Certificate of Introduction from the Sea.
Change in particulars.	33.		Prior to the issue of an Import Permit, Export Permit, a Re-Export Certificate or a Certificate of Introduction from the Sea, any change in the particulars furnished in the application under section 28, or after the grant of the permit or certificate, any change of the information on the basis of which the permit or certificate has been granted, shall be notified immediately in writing to the Commission or its delegate, appointed in accordance with section 6(2)(a), by the applicant, or, as the case may be, by the holder of the permit or certificate.
Grant of permit and certificate.	34.	(1)	Subject to section 36, where, with regard to an application for an Export Permit or a Re-Export Certificate, the Commission on the advice of the Wildlife Scientific Committee, is satisfied that –
Export Permit and Re-Export Certificate.		(a)	the proposed export is within the limit of the recommended annual export quota;
		(b)	the proposed export will not be detrimental to the survival of the wildlife (species) concerned and the specimen to be exported;
First Schedule		(c)	in the case of wildlife listed in the First Schedule, an import permit has been issued by the competent authority of the state of destination;
		(d)	the wildlife has not been obtained in contravention of

	any law, as well as such other obligations deriving from any treaty, convention or international agreement to which Guyana is a party;
	(e) the transportation arrangements for any living specimen are adequate and minimise the risk of injury or damage to health of the wildlife;
	(f) the exportation proposed is in the best interest of Guyana; and
	(g) the requirements of this Act have been complied with,
Fourth Schedule	the Commission may grant the permit or certificate applied for on such terms and conditions as it sees fit and on payment of the fee prescribed in the Fourth Schedule.
Import Permit.	(2) Subject to section 36, where the Commission, on the advice of the Wildlife Scientific Committee, in relation to an application for an Import Permit is satisfied that –
	(a) the import shall not be detrimental to the survival of the species concerned and the specimen to be imported;
	(b) the wildlife has not been obtained in contravention of any law including such other obligations deriving from any treaty, convention or international agreement to which Guyana is a party;
	(c) an export permit or a re-export certificate or certificate of origin, authorising the import of any plant or animal, has been issued by the relevant authority of the exporting state, save and except wildlife listed in the First Schedule; and
	(d) in case of a living specimen, the proposed recipient of such specimen is suitably equipped and competent to house and care for it;
	(e) the import proposed is in the best interest of Guyana,
Fourth Schedule	the Commission may grant the permit applied for on such terms and conditions as it sees fit and on payment of the fee prescribed in the Fourth Schedule.
Certificate for Introduction of the Sea.	(3) Subject to section 36, where the Commission, on the advice of the Wildlife Scientific Committee, in respect of an application for a Certificate of the Introduction from the Sea of a specimen to which this Act relates is satisfied that –
	(a) the introduction from the sea of the specimen will not be

		detrimental to the survival of the species;
First Schedule		<ul style="list-style-type: none"> (b) for species listed in the First Schedule, the specimen is not intended to be used for primarily commercial purposes; (c) in case of a living specimen, the proposed recipient of such specimen is suitably equipped to house and care for it; (d) in case of a living specimen, such specimen will be so prepared and transported so as to minimise the risk of injury to, deterioration of the health or cruel treatment of the specimen; (e) the specimen has not been obtained in contravention of any law including such other obligations deriving from any treaty, convention or international agreement to which Guyana is a Party; and (f) the proposed introduction from the sea of the specimen is in the best interest of Guyana,
Fourth Schedule		the Commission may grant the certificate applied for on such terms and conditions as it sees fit and on payment of the fee prescribed in the Fourth Schedule.
Fifth Schedule Forms E and F	(4)	Permits and certificates issued under this section shall be in the manner and form prescribed in Form E or F, as the context requires, of the Fifth Schedule.
Validity of permit and certificate.	35.	<ul style="list-style-type: none"> (1) An Export Permit and a Re-Export Certificate shall be valid for a period not exceeding six months from the date of issue. (2) An Import Permit shall be valid for a period not exceeding six months from the date of issue of the corresponding export permit or re-export certificate, by the country of export or re-export, as the case may be. (3) A Certificate of Introduction from the Sea of a specimen shall be valid for a period not exceeding six months from the date of issue.
Grounds for refusal to grant permit and certificate.	36.	<p>The Commission may refuse to grant an Import Permit, Export Permit, a Re-Export Certificate or a Certificate of Introduction from the Sea where it has reason to believe –</p> <ul style="list-style-type: none"> (a) that the import, export, re-export or introduction from the sea, will be for purposes that are detrimental to the survival of the species;

- (b) that the plant or animal has been obtained in contravention of any law including such other obligations deriving from any treaty, convention or international agreement to which Guyana is a party;
- (c) that the application contains or is based on false or misleading representation or information which is false in a material particular;
- (d) in case of an individual, that individual –
 - (i) is under the age of eighteen years; or
 - (ii) is an un-discharged bankrupt;
- (e) in case of a body corporate, that –
 - (i) a resolution has been passed against it for its voluntary winding up or an order has been made by a court of competent jurisdiction for its winding up;
 - (ii) a receiver has been appointed to manage any of its assets; or
 - (iii) any of its directors has been convicted of any offence specified under this Act during the period of five years immediately preceding application;
- (f) the transportation arrangements, whether by land, sea or by air, for any living plant or animal are inadequate and present a serious risk of injury, or damage to the plant or animal;
- (g) an export permit or a re-export certificate or a certificate of origin, authorising the import of any plant or animal, has not been issued by the relevant authority of the exporting state; or
- (h) based on a reference to and recommendation received from the Wildlife Scientific Committee, for species not included in the quota, the issue of the permit or certificate would not be in the best interest of Guyana, having regard to such factors as the Wildlife Scientific Committee considers relevant including –
 - (i) the need for the protection of certain species of wildlife from over-exploitation through international trade; or
 - (ii) the preservation of the character of the environment, including wildlife.

Reissue of permit and certificate.

- 37.** (1) The Commission may reissue an Import Permit, Export Permit, a Re-Export Certificate or a Certificate of Introduction from the Sea on its expiration, if –

Fourth Schedule		<p>(a) an application, accompanied by the fee prescribed in the Fourth Schedule is made not later than one month before the date of expiry; and</p> <p>(b) after consultation with the Wildlife Scientific Committee, the Commission is satisfied that there has been no material change in the circumstances that existed at the time the permit or certificate was granted.</p> <p>(2) Where the Commission –</p> <p>(a) receives an application for the reissue of a permit or certificate after the period specified in subsection (1)(a); or</p> <p>(b) after consultation with the Wildlife Scientific Committee, it is satisfied that a material change of circumstances has occurred since the grant of the permit or certificate,</p> <p>it shall treat the application as a new application, and accordingly, the relevant provisions of this Part relating to the application for a permit or certificate shall apply.</p>
Restriction of permit and certificate retrospectively. First Schedule	38.	<p>(1) The Commission shall not issue an Import Permit, Export Permit, a Re-Export Certificate or a Certificate of Introduction from the Sea retrospectively, in respect of any specimen specified in the First Schedule.</p> <p>(2) The Commission shall not issue an Import Permit, Export Permit, a Re-Export Certificate or a Certificate of Introduction from the Sea retrospectively in respect of any specimen of wildlife specified in the Second or Third Schedule or any other wildlife unless –</p> <p>(a) the Commission and any relevant authority are satisfied that no irregularity is attributable to the importer, exporter or re-exporter of any specimen; and</p> <p>(b) the importation, exportation or re-exportation of the specimen is in accordance with this Act and any other laws of Guyana and any other state.</p>
Second and Third Schedules		
Modification of permit and certificate.	39.	<p>(1) A person to whom an Import Permit, Export Permit, a Re-Export Certificate or a Certificate of Introduction from the Sea has been granted may apply to the Commission to vary or modify the permit or certificate, stating clearly the reasons for the application.</p> <p>(2) In considering an application under subsection (1), the</p>

Commission shall have regard to the matters specified in section 36.

Suspension of
permit and
certificate.

- 40.** (1) The Commission may suspend an Import Permit, Export Permit, a Re-Export Certificate or a Certificate of Introduction from the Sea for a breach of any provision of this Act or of any term or condition subject to which the permit or certificate is granted.
- (2) The Commission shall, on suspending a permit or certificate, notify the holder of the permit or certificate in writing –
- (a) stating the breach which gave rise to the suspension;
 - (b) requiring the holder of the permit or certificate to remedy the breach;
 - (c) stating the time within which the breach is to be remedied; and
 - (d) stating whether the permit or certificate is to be returned within a specified time to the Commission.
- (3) The holder of the permit or certificate, upon remedying the breach, shall so inform the Commission and the Commission shall, if it is satisfied that the breach is remedied, return the permit or certificate, as the case may be, to its holder.

Cancellation of
permit and
certificate.

- 41.** (1) The Commission may cancel an Import Permit, Export Permit, a Re-Export Certificate or a Certificate of Introduction from the Sea –
- (a) upon breach of a condition subject to which the permit or certificate was granted;
 - (b) where the holder of the permit or certificate contravenes any provision of this Act or any other law administered by the Commission;
 - (c) where the holder of the permit or certificate has been found guilty of an offence under the Narcotic Drugs and Psychotropic Substances (Control) Act;
 - (d) where the holder of the permit or certificate has been found guilty of an offence under the Anti-Money Laundering and Countering the Financing of Terrorism Act;
 - (e) where the Commission is satisfied that information which was misleading, false or deceptive was submitted to it in support of the application for the permit or certificate and on the basis of which the permit or

Cap. 10:10

Cap. 10:11

certificate was granted;

- (f) upon failure of the holder of the permit or certificate to keep accurate records in accordance with section 64;
 - (g) where there has been an outbreak of disease among any animal or plant in respect of which a permit or certificate was issued or there is a reason to believe that such an outbreak is imminent;
 - (h) if the Commission is of the opinion that the permit or certificate granted is not in the interest of Guyana; or
 - (i) for any other reason where the Commission thinks it is proper to do so.
- (2) Where the Commission is considering the cancellation of a permit or certificate, it shall –
- (a) notify in writing the holder of the permit or certificate that cancellation of the permit or certificate is being considered, together with the reasons for the proposed cancellation; and
 - (b) afford the holder of the permit or certificate a reasonable opportunity to submit representations regarding the proposed cancellation.
- (3) After having reached a decision on the cancellation of the permit or certificate, the Commission shall –
- (a) notify the holder of the permit or certificate of the decision, in writing; and
 - (b) if the decision is to cancel the permit or certificate, such cancellation shall have effect on receipt of the notice by the holder; and instruct the holder to return the permit or certificate immediately.

Compensation.

- 42.** Compensation shall not be payable to a holder of the permit or certificate where the decision to cancel the permit or certificate was necessary for the purposes of protecting and conserving the environment, any wildlife or by reason of an unforeseeable change in the circumstances on the basis of which the permit or certificate was granted.

Non-transferability of permit and certificate.

- 43.** An Import Permit, Export Permit, a Re-Export Certificate or a Certificate of the Introduction from the Sea shall not be transferable.

Used or expired permit or certificate to be returned, cancelled and retained.	44.	<p>(1) An unused or expired Import Permit, Export Permit, Re-Export Certificate or Certificate of the Introduction from the Sea shall be returned to the Commission within fourteen days from the expiration of the permit or certificate.</p> <p>(2) The Commission shall cancel and retain a used export permit and re-export certificate issued by the relevant authorities of a foreign state and the corresponding Import Permit.</p>
Wildlife not within the scope of this Act to have written authorisation of Commission.	45.	<p>(1) Notwithstanding section 3, a person shall not export, import, re-export, or introduce from the sea any wildlife not specified in the First, Second and Third Schedules or any other wildlife unless the person has the prior written authorisation of the Commission.</p> <p>(2) The written authorisation required in subsection (1) shall be obtained by application to the Commission.</p> <p>(3) The application shall be in the manner prescribed in Form D of the Fifth Schedule and shall be accompanied by such fee, information or other document as the Commission may require.</p>
First, Second and Third Schedules		
Fifth Schedule		
Specimens for transshipment or in transit not imported or exported.	46.	<p>(1) Where a specimen is brought into Guyana –</p> <p>(a) for the purposes of transshipment to another state; or</p> <p>(b) as part of an aircraft's stores or ship's stores,</p> <p>that specimen shall not be taken to have been imported into Guyana, and when it leaves Guyana, shall not be taken to be exported from Guyana.</p> <p>(2) (a) The Commission shall be notified where a specimen is brought into Guyana pursuant to subsection (1)(a).</p> <p>(b) The Commission may, in collaboration with an officer, inspect a specimen of a species in transit or transshipment in order to verify the existence of appropriate documentation in accordance with the Convention.</p> <p>(c) Where the Commission determines that the requirements of subsection (2)(b) have not been met, the Commission may cause the powers under section 78 to be invoked.</p>
Specimens that are subject to quarantine.	47.	Where, in accordance with any law relating to quarantine, a person, exercising powers under that law, brings into Guyana a specimen that is subject to quarantine, that specimen shall not be taken to have been imported unless and until it is released from quarantine.
Specimens to be	48.	The Commission may cause any specimen which is being imported or

marked.

exported to be marked with such mark or other suitable means so as to prevent the imitation of the specimen by any person not authorised to import or export the specimen.

PART VIII

COMMERCIAL IMPORTATION AND EXPORTATION OF WILDLIFE

- | | | | | |
|---|------------|-----|-------|--|
| Licence to engage in commercial importation or exportation of wildlife. | 49. | (1) | (a) | Any person who proposes to engage in the commercial importation of wildlife shall, before commencing such activities – |
| Commercial Import Licence. | | | (i) | apply to the Commission for a Commercial Import Licence; |
| | | | (ii) | provide proof of the sole occupation of holding premises licensed in accordance with Part X; and |
| | | | (iii) | submit to an interview before the Commission. |
| Commercial Export Licence. | | | (b) | Any person who proposes to engage in the commercial exportation of wildlife shall, before commencing such activities – |
| | | | (i) | apply to the Commission for a Commercial Export Licence; |
| | | | (ii) | provide proof of the sole occupation of holding premises licensed in accordance with Part X; and |
| | | | (iii) | submit to an interview before the Commission. |
- (2) Every application under subsection (1) shall specify –
- (a) the full name, address and contact details of the applicant;
 - (b) the species and the number of specimens of that species to be exported or imported;
 - (c) the potential or intended market as well as the purpose for the specimens to be exported or imported;
 - (d) the arrangements for the holding of the wildlife prior to export and after import; and

	(e)	such further information or document as the Commission may require.
Fourth Schedule	(3)	An application under subsection (1) shall be accompanied by the fee prescribed in the Fourth Schedule and such further information or document as the Commission may require.
	(4) (a)	A licence to engage in commercial exportation of wildlife shall be valid for a period not exceeding one year from the date of issue.
	(b)	A licence to engage in commercial importation of wildlife shall be valid for a period not exceeding one year from the date of issue.
	(5)	Provided that there is no material change in the particulars and information provided under subsection (2), during the period of validity of the Commercial Import Licence or Commercial Export Licence, the licence holder shall not be required to provide the information required under section 29(1) for each permit or certificate which is sought for imports or exports.
Fourth Schedule	(6)	The Commission may grant a licence applied for on payment of the fee prescribed in the Fourth Schedule, on such terms and conditions as it sees fit and in such form as it may from time to time determine.
Sixth Schedule	(7)	A person who engages in commercial importation or commercial exportation of wildlife without a Commercial Import Licence or a Commercial Export Licence, as the case may be, commits an offence and is liable on summary conviction to the penalties prescribed under paragraph D of the Sixth Schedule.
Grounds for cancellation.	50. (1)	The Commission may cancel a Commercial Import Licence or Commercial Export Licence –
	(a)	upon breach of a condition subject to which the Commercial Import Licence or Commercial Export Licence was granted;
	(b)	where the holder of the Commercial Import Licence or Commercial Export Licence contravenes any provision of this Act or any other law administered by the Commission;
Cap. 10:10	(c)	where the holder of the the Commercial Import Licence or Commercial Export Licence has been found guilty of an offence under the Narcotic Drugs and Psychotropic Substances (Control) Act;
Cap. 10:11	(d)	where the holder of the the Commercial Import Licence

or Commercial Export Licence has been found guilty of an offence under the Anti-Money Laundering and Countering the Financing of Terrorism Act;

- (e) where the Commission is satisfied that information which was misleading, false or deceptive was submitted to it in support of the application for the Commercial Import Licence or Commercial Export Licence and on the basis of which the Licence was granted;
 - (f) upon failure of the holder of the Commercial Import Licence or Commercial Export Licence to keep accurate records in accordance with section 64;
 - (g) if the Commission is of the opinion that the Commercial Import Licence or Commercial Export Licence is not in the interest of Guyana; or
 - (h) for any other reason where the Commission thinks it is proper to do so.
- (2) Where the Commission is considering the cancellation of a Licence, it shall –
- (a) notify in writing the person to whom the licence was granted that cancellation of the Licence is being considered, together with the reasons for the proposed cancellation; and
 - (b) afford the holder of the Licence a reasonable opportunity to submit representations regarding the proposed cancellation including plans for the future care of all the wildlife that are the subject of the Licence.
- (3) After having reached a decision on the Licence, the Commission shall –
- (a) notify the Licence holder of the decision, in writing; and
 - (b) if the decision is to cancel the Licence, such cancellation shall have effect on receipt of the notice by the holder; and instruct the holder to return the Licence immediately.

Export levy.

- 51.** (1) A holder of a Commercial Export Licence shall pay to the Commission the following sum, which shall be charged and levied, in respect of any of the following specimen the holder exports from Guyana –
- (a) a sum equivalent to 20 percent of the monetary value of the specimen where the specimen is collected from the

wild; or

- (b) a sum equivalent to 10 percent of the monetary value of the specimen, where the specimen is the product of a Captive Breeding Operation or Artificial Propagation Operation.
- (2) For the purpose of this section ‘monetary value’ –
- (a) is computed by the Commission, as the value of the specimen based on the following factors –
 - (i) the schedule in which the specimen is listed;
 - (ii) the average unit price at which the specimen was sold in the intended market of export;
 - (iii) cost of acquisition of the specimen; and
 - (iv) such other relevant factors as the Commission may deem appropriate;
 - (b) means the amount in United States of America dollars or its equivalent in Guyana dollars at the cambio selling rate of exchange on the date of payment, of the financial institution designated by the Commission, for the value of the specimen computed by the Commission pursuant to paragraph (a).

PART IX

TRANSPORTATION OF WILDLIFE

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|---------------------------------------|------------|---|
| Transportation of animals and plants. | 52. | <ul style="list-style-type: none">(1) Every person who exports, imports or re-exports a live animal or plant shall, where it is transported by land, sea or air, prepare it for transportation and transport it in accordance with the IATA Regulations.(2) A person who fails to comply with subsection (1) commits an offence. |
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PART X

LICENSING OF HOLDING PREMISES

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|--------------------------------|------------|---|
| Licensing of holding premises. | 53. | A holder of a Commercial Import Licence or Commercial Export Licence shall not keep wildlife introduced from the sea or any other wildlife imported or for export or re-export except in holding premises licensed by the Commission. |
| Application for | 54. | <ul style="list-style-type: none">(1) The owner or occupier of any premises who desires to keep |

Holding Premises
Licence.

animals referred to in section 53 shall before doing so apply to the Commission for a Holding Premises Licence in respect of those premises.

- (2) Every application for a Holding Premises Licence shall specify –
- (a) the full name, address and contact details of the applicant;
 - (b) the address of the proposed holding premises;
 - (c) the basis of the applicant’s occupation of the premises;
 - (d) the species and the maximum number of specimens of that species which can be kept on the premises;
 - (e) the number of persons employed by the applicant at the premises;
 - (f) the arrangements for the transport of the wildlife prior to export or other dealing; and
 - (g) such further information or document as the Commission may require.
- (2) All premises licensed shall be registered as a Holding Premises by the Commission.

Pre-Act holding
premises.

- 55.** (1) Section 54 shall apply *mutatis mutandis* to the owner of premises used for keeping animals before the commencement of this Act.
- (2) The requirements of subsection (1) shall come into force on the expiry of the period of six months beginning on the day on which this Act comes into force.

Inspection of
premises.

- 56.** (1) Where an application for a Holding Premises Licence has been made, an authorised person shall arrange for an inspection of the premises by a veterinarian duly authorised by the Commission who shall prepare a report to be submitted to the Commission not later than one month from the date of application.
- (2) Upon consideration of a report submitted under subsection (1) if in the opinion of the Commission, the premises, facilities or staffing need to be altered to comply with the requirements of this Act, the Commission shall issue a notice to the owner or occupier specifying the alterations to be made, and shall withhold the issue of any licence until the alterations are satisfactorily completed.

Grant of licence.

- 57.** (1) When considering an application for a Holding Premises Licence, the Commission shall take into account –

		<ul style="list-style-type: none"> (a) all applicable legal requirements in order to ensure that any decision with respect to the grant of the licence is consistent with those requirements; (b) the report of the inspection conducted in accordance with section 56; and (c) all other relevant factors, including all relevant documentation and information submitted to it by the applicant.
Fifth Schedule Form B		<p>(2) Where the Commission is satisfied that in relation to an application before it, the requirements of this Act have been complied with, it shall approve the issue of the licence on such terms and conditions as it sees fit and in the manner prescribed in Form B of the Fifth Schedule and on payment of the prescribed fee in the Fourth Schedule.</p> <p>(3) A Holding Premises Licence shall be valid for a period not exceeding five years.</p>
Display of licence.	58.	Where a licence has been issued relating to any premises, the owner or occupier of such premises shall display – <ul style="list-style-type: none"> (a) on the outside of the premises, the notice in the manner and form prescribed in Form C of the Fifth Schedule; and (b) inside the premises, a copy of the Holding Premises Licence.
Fifth Schedule Form C		
Publication of list of holding premises.	59.	The Commission shall publish in the <i>Gazette</i> annually, or at other times as necessary for public information – <ul style="list-style-type: none"> (a) a list of premises licensed as holding premises; and (b) a list of holding premises, the licences of which have been cancelled or varied.
Cancellation or variation of licence.	60.	The Commission may cancel or vary the licence issued to the owner or occupier of premises – <ul style="list-style-type: none"> (a) where the owner or occupier of premises has been convicted of any offence under this Act or any other law administered by the Commission; (b) upon breach of a condition subject to which the licence for the holding premises was granted; (c) where the holder of the licence for the holding premises contravenes any provision of this Act;

- Cap. 10:10 (d) where the holder of the licence for the holding premises has been found guilty of an offence under the Narcotic Drugs and Psychotropic Substances (Control) Act;
- Cap 10:11 (e) where the holder of the licence for the holding premises has been found guilty of an offence under the Anti-Money Laundering and Countering the Financing of Terrorism Act.
- Notice of cancellation or variation. **61.** (1) Where the Commission is considering the cancellation of a Holding Premises Licence it shall –
- (a) notify in writing the person to whom the licence was granted that cancellation of the licence is being considered, together with the reasons for the proposed cancellation; and
- (b) afford the holder of the licence a reasonable opportunity to submit representations regarding the proposed cancellation, including plans for the future care of all the animals that are the subject of the Holding Premises Licence.
- (2) After having reached a decision on the cancellation of the licence, the Commission shall –
- (a) notify the licence holder of the decision, in writing; and
- (b) if the decision is to cancel the licence, such cancellation shall have effect on receipt of the notice by the holder; and instruct the holder to return the licence immediately.

PART XI

APPROVED INSTITUTIONS AND PERSONS

- Declaration of approved institutions and individuals. **62.** (1) Subject to subsections (2) and (3), the Commission may, on the application of an institution or an individual in Guyana or in any other state, who is engaged in activities specified in subsection (2), by order published in the *Gazette*, declare that institution to be an approved institution or that individual to be an approved individual in relation to a specimen or species specified in the order.
- (2) The activities referred to in subsection (1) are activities relating to –
- (a) species of flora and fauna;
- (b) herbarium specimens; and

- (c) preserved, dried or embedded museum specimens in Guyana or in any other state.
- (3) An order under subsection (1) shall have effect –
- (a) for the purpose of permitting the non-commercial loan, donation or exchange of the specimen or species specified in the order; and
 - (b) for such period as may be determined by the Commission after consultation with the Wildlife Scientific Committee, and specified in the order.
- (4) The Commission shall not declare an institution to be an approved institution unless it is satisfied as to the matters specified in subsection (5).
- (5) The matters referred to in subsection (4) are as follows –
- (a) the institution –
 - (i) is owned, controlled or administered by the Government or government of any other state; or
 - (ii) in any other case, does not engage in commercial transactions in the specimen or species specified in the order;
 - (b) the artificial propagation of plants or public exhibition of specimens, for scientific or educational purposes, is the major function of the institution;
 - (c) one of the institution's primary functions is the carrying out of research or investigation into specimens or species;
 - (d) where the institution is situated in Guyana, it is engaged in commercial transactions only in relation to specimens that are, or are derived from –
 - (i) wildlife that were bred in captivity or artificially propagated; or
 - (ii) specimens that have been taken in accordance with an approved management programme;
 - (e) where the institution is situated outside of Guyana, it does not engage in commercial transactions in specimens –
 - (i) that are, or are derived from, native Guyana species of flora and fauna; or

First Schedule

- (ii) specified in the First Schedule unless they are derived from wildlife (other than native Guyana wildlife) that were or artificially propagated;
- (f) the institution –
 - (i) possesses resources and qualifications that enable the undertaking of research or investigation;
 - (ii) publishes the results of its research or investigation or otherwise makes those results available to the Commission and the public or the government of the country in which it is situated; and
 - (iii) imports or exports specimens taken in the wild only if specimens that were artificially propagated cannot be used for the purposes of the research or investigation, or public education;
- (g) the institution is suitably equipped to –
 - (i) manage, care for and, where appropriate, house live specimens;
 - (ii) maintain adequate records relating to the management, mortality and disposal of specimens; and
 - (iii) produce those records when required so to do by the Commission;
- (h) such other factors as communicated through the decisions and resolutions of the Conference of the Parties of the Convention.

Inter-
organisation
transfer.

- 63.** The provisions of Parts IV, V, VI and VII do not apply in the case of non-commercial loans, donations and exchanges between institutions and individuals approved pursuant to section 62, registered by the Commission, of herbarium specimens, other preserved or dried or embedded museum specimens, and live plant material which carries a label issued or approved by the Commission.

PART XII

KEEPING OF RECORDS

Holder of licence,
permit or
certificate to keep

- 64.** (1) Every person who is granted a licence, permit or certificate shall keep for inspection by duly authorised officers, accurate books, documents, records or particulars in a register to be called the

Wildlife Register.
First, Second and
Third Schedules

Wildlife Register relating to any specimen specified in the First,
Second and Third Schedules or any other wildlife showing –

- (a) the number of specimens the person has imported, exported, re-exported or introduced from the sea;
 - (b) the date of such importation, exportation, re-exportation or introduction from the sea;
 - (c) the geographical origin of the specimens exported;
 - (d) the mortality of specimens imported, exported, re-exported or introduced from the sea;
 - (e) the morbidity, condition and quality of specimens imported, exported, re-exported or introduced from the sea; and
 - (f) such other information as the Commission may require.
- (2) The Commission may suspend a licence, permit or certificate where the holder of such licence, permit or certificate fails to keep a Wildlife Register in accordance with subsection (1).
- (3) The provisions of section 41 shall apply *mutatis mutandis* to the suspension procedure for the purpose of this section.

Commission to
keep records.

65. (1) The Commission shall keep registers which shall contain –

- (a) the names, addresses and other particulars of licensed Captive Breeding Operations;
- (b) the names, addresses and other particulars of licensed Artificial Propagation Operations;
- (c) the names, addresses and other particulars of licensed Wildlife Ranching Facilities;
- (d) the names, addresses and other particulars of licensed Holding Premises;
- (e) the names, addresses and other particulars of licensed commercial importers and exporters;
- (f) the name of the person to whom the permit or certificate is granted;
- (g) the type of permit or certificate granted;

- (h) the date on which the permit or certificate was granted or renewed;
 - (i) the date of expiration of the permit or certificate;
 - (j) the date and reason for revocation and suspension of the permit or certificate and in respect of suspension, its period;
 - (k) the specimen or class of specimen of wildlife in respect of which the permit is granted;
 - (l) the number of the permit or certificate; and
 - (m) any other relevant information.
- (2) The Commission shall prepare or caused to be prepared, an annual report containing a summary of the information specified in subsection (1).
- (3) The information referred to in subsection (2) shall be open for inspection by the public at the offices of the Commission during office hours, free of charge, and the Commission shall, on payment of the specified fee, cause to be made copies of any entry in such register.

PART XIII

OFFENCES AND PENALTIES

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| Contravention of certain provisions.
Sixth Schedule | 66. | Except as provided in sections 32, 67, 68, 69, 70 and 71, a person who commits, aids, abets, counsels, causes, or procures the commission of an offence under this Act is liable to the penalties prescribed in paragraph A of the Sixth Schedule. |
| False or misleading statements.
Sixth Schedule | 67. | A person commits an offence and is liable on summary conviction to the penalties prescribed under paragraph D of the Sixth Schedule if the person does any of the following – <ul style="list-style-type: none"> (a) for the purposes of obtaining, whether for the person's own self or for any other person, the issue, grant or renewal of any permit, certificate, licence or authorisation issued under this Act, makes any declaration or statement which is false or misleading in any particular; (b) furnishes to an authorised person or other person performing any duty in relation to this Act, a document that to the knowledge of the first-mentioned person contains information which is false or misleading in any particular; |

		(c)	knowingly utters, produces, or makes use of any such declaration or statement or any document containing any false declaration or statement;
		(d)	falsifies or amends any information contained in a permit, certificate, licence or authorisation.
Unlawful trade. Sixth Schedule	68.	A person commits an offence and is liable on summary conviction to the penalties prescribed under paragraph D of the Sixth Schedule if the person –	
		(a)	imports, exports, re-exports or introduces from the sea any specimen contrary to the provisions of this Act;
		(b)	deals in any specimen by way of a transaction of any description whatsoever contrary to the provisions of this Act; or
		(c)	harvests wildlife in any area, including protected areas, without the authorisation of the Commission or other competent authority.
Unauthorised possession. Sixth Schedule	69.	(1)	Every person who has possession or control of, or offers or exposes for sale or displays to the public any specimen to which this Act relates without the authorisation of the Commission or any other competent authority, commits an offence and is liable on summary conviction to the penalties prescribed under paragraph D of the Sixth Schedule.
		(2)	It shall be a defence for any person charged under subsection (1) to prove that –
		(a)	when the specimen came into the person's possession, the person made such enquiries, as in the circumstances of the case were reasonable, to ascertain whether the specimen was a specimen to which this Act applies; and
		(b)	when the alleged offence was committed, the person had no reason to believe that the specimen was a specimen to which this Act applies.
Threatening etc. of authorised person. Sixth Schedule	70.	Any person who threatens, assaults or obstructs an authorised person acting in the execution of duties under this Act commits an offence and is liable on summary conviction to the penalties prescribed in paragraph D of the Sixth Schedule.	
Failure to keep Wildlife Register. First, Second, Third and Sixth	71.	Every person who fails to keep a Wildlife Register for the purposes of specimens specified in the First, Second and Third Schedules or any other wildlife commits an offence and is liable on summary conviction to the penalties prescribed in paragraph A of the Sixth Schedule.	

Schedules

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| Revocation of licence on conviction of offences. | 72. | <p>(1) The Commission may revoke a licence issued under this Act where the holder of the licence has been convicted of an offence under this Act.</p> <p>(2) Prior to the revocation of the licence, the Commission shall give the licence holder a reasonable opportunity to make representation.</p> <p>(3) The holder of a licence revoked by the Commission under this section shall be prohibited from applying for a licence of the kind revoked or any other licence under this Act for a period of five years from the date of revocation.</p> |
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PART XIV

ENFORCEMENT

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|---|------------|--|
| Enforcement. | 73. | <p>(1) The provisions of this Act shall be enforced by the Commission or such other duly authorised person.</p> <p>(2) It shall be the duty of all public authorities to cooperate fully with the Commission in enforcing the provisions of this Act.</p> |
| Commission to monitor use of permit and certificate.
First, Second and Third Schedules | 74. | <p>The Commission shall monitor the use of any Import Permit, Export Permit, Re-Export Certificate or Certificate for Introduction from the Sea granted by the Commission in respect of a specimen specified in the First, Second and Third Schedules or any other wildlife or the actual import, export, re-export or introduction of the specimen.</p> |
| Liability of body corporate. | 75. | <p>Where an offence against this Act is committed by a body corporate, every director, manager, secretary or other officer concerned in the management of that body corporate shall, without prejudice to the liability of the body corporate, be deemed to have committed the offence unless at the trial it is proved that –</p> <p style="margin-left: 40px;">(a) the offence was committed without the knowledge, consent or connivance of that officer; or</p> <p style="margin-left: 40px;">(b) the officer exercised all due diligence to prevent the commission of the offence as ought to have been exercised having regard to the nature of the officer's functions in the body corporate and the circumstances of the case.</p> |
| Possession of wildlife.

First, Second and | 76. | <p>(1) Subject to any other law, a person shall not possess any wildlife specified in the First, Second and Third Schedules or any other wildlife imported or introduced from the sea into Guyana or exported or re-exported from Guyana contrary to the provisions</p> |

Third Schedules

of this Act.

- (2) The person referred to in subsection (1), is exempted from the operation of subsection (1) where the person who possesses the wildlife establishes a reasonable probability that it or, in the case of a specimen, the wildlife from which it comes –
 - (a) was taken from its habitat prior to the commencement of this Act;
 - (b) was not imported into Guyana in violation of any law;
 - (c) the distribution of it or the offering to distribute it would be in accordance with any other applicable laws that relate to the conservation and protection of the particular species of wildlife;
 - (d) the wildlife was acquired prior to the commencement of this Act;
 - (e) the wildlife is a herbarium specimen, other preserved, dried or embedded museum specimen or live plant material to be imported, exported or re-exported as a non-commercial loan, donation or exchange between approved person or scientific institutions.

Entry of
authorised
person.

- 77.** An authorised person may, for the purpose of the execution of this Act, enter at any reasonable time the premises or vehicle of any person trading in or suspected of trading in any specimen to which this Act applies and inspect any book, document, permit, certificate or record or things relating to the specimen, and while entering the premises take along –
 - (a) any person duly authorised by the Commission; and
 - (b) any equipment or materials required for any purpose for which the power of entry is being exercised.

Seizure.

- 78.** (1) If an authorised person suspects that an offence contrary to this Act has been committed the authorised person may –
 - (a) detain and seize any specimen which the authorised person reasonably suspects is kept in contravention of this Act;
 - (b) seize anything which the authorised person reasonably suspects to be transported, acquired or traded in contravention of this Act.
- (2) If any premises to be entered and searched under section 77 is a residential premises, the authorised person must first apply to a

magistrate for a search warrant.

- (3) Any expenses incurred under this section as a result of seizure, including costs of custody, transportation and disposal of specimens or of maintaining live animals and plants during the time of seizure, is recoverable as a debt from the person in whose custody the species or specimen was seized.
- (4) Anything seized under this section shall be listed in writing by the authorised officer and a copy of the list shall be given to the person in whose custody the thing was seized.
- (5) Having seized any wildlife, an officer may do one or more of the following as is appropriate to ensure its survival –
 - (a) take it to a place the officer considers appropriate;
 - (b) give it accommodation, food, rest, water or other appropriate living conditions;
 - (c) if the officer reasonably believes it requires veterinary or other treatment, the treatment should be arranged.

Forfeiture to
State.

- 79.** (1) Every specimen in respect of which there is a conviction for an offence against this Act shall be forfeited by the Court to the State.
- (2) Where any specimen is forfeited to the State under subsection (1), the Court may, on the advice of the Wildlife Scientific Committee, order that the specimen be –
- (a) returned to the wild, in which case the costs associated with return shall be borne by the person found guilty of the offence;
 - (b) stored or kept in, placed under the control or management of, or donated to an approved institution or person;
 - (c) returned to its owner's or country of origin, in which case the costs associated with return shall be borne by the person found guilty of the offence;
 - (d) otherwise dealt with in such a manner as may best contribute to the welfare of the specimen, as determined by the Wildlife Scientific Committee.

Fees payable to
the Commission.

- 80.** All fees, charges, sums collected for the commission of offences and any other moneys collected under this Act shall be paid to the Commission.

PART XV

MISCELLANEOUS

- | | | |
|--|------------|---|
| Waiver of fees.
Fourth Schedule | 81. | The fees set out in the Fourth Schedule may be waived by the Commission, with the written consent of the Minister, for such purpose or purposes as to give full effect to the provisions of this Act. |
| Non-application
of Act to certain
specimens
acquired before
Act commences.

First, Second and
Third Schedules | 82. | <p>The provisions of this Act in respect of specimens specified in the First, Second and Third Schedules or any other wildlife shall not apply to any such specimen that is to be exported or re-exported where –</p> <p>(a) the Commission is satisfied that the specimen was acquired before the commencement date of the Act; and</p> <p>(b) the Commission grants a certificate, that is to say, a Pre-Act Certificate, to that effect.</p> |
| Regulations. | 83. | <p>(1) The Minister may make regulations generally for the purpose of giving effect to the provisions of this Act, and in particular but without prejudice to the generality of the foregoing, may make regulations with respect to any of the following –</p> <p>(a) the hunting, trapping, trade, protection, conservation, management and sustainable use of wildlife;</p> <p>(b) the design, management and operation of wildlife holding premises;</p> <p>(c) the exemptions and special procedures for wildlife;</p> <p>(d) the transportation of wildlife;</p> <p>(e) the establishment, operation and management of zoos in Guyana;</p> <p>(f) the establishment, management and operation of wildlife rescue centres;</p> <p>(g) the compliance and enforcement of the provisions of this Act, licences, permits and certificates;</p> <p>(h) prescribing measures that enhance community participation in the protection, conservation, management and sustainable use of wildlife;</p> <p>(i) the conditions subject to which any licence, permit or certificate may be granted or amended under this Act;</p> |

		(j)	the establishment, management and operation of wildlife production systems;
		(k)	the management of hazardous areas affecting wildlife;
		(l)	the introduction of wildlife from the sea.
	(2)	(a)	Regulations made under this section may provide for offences for breach of the regulations, and the penalty for the commission of any of the offences shall be a fine of not be more than two million dollars and to imprisonment for a period not exceeding three years.
		(b)	Regulations made under this section shall be subject to negative resolution of the National Assembly.
Repeal, revocation and savings of other laws. Cap. 71:07 Cap. 20:05	84.	(1)	The Wild Birds Protection Act is repealed.
		(2)	The following Regulations made under the Environmental Protection Act are revoked –
		(a)	the Species Protection Regulations 1999; and
		(b)	the Wildlife Management and Conservation Regulations 2013.
		(3)	Notwithstanding the revocation by subsection (2)(b), those regulations of the Wildlife Management and Conservation Regulations 2013 in conformity with this Act shall remain in force until replaced by regulations made under this Act.
Act not in derogation of other laws. Cap. 82:01 Cap.71:08 Cap. 68:03 No. 14 of 2003 Cap. 47:01	85.	(1)	This Act shall be read and construed as being in addition to, and not in derogation of or in substitution for any provisions of –
		(a)	the Customs Act;
		(b)	the Fisheries Act;
		(c)	the Plant Protection Act;
		(d)	the Animals (Movement and Disease Prevention) Act 2003;
		(e)	the Post and Telegraph Act; or
		(f)	subject to section 84, any other law whether passed or made before or after the commencement of this Act.
	(2)		A person who is the holder of an Import Permit, Export Permit, a Re-Export Certificate or a Certificate of Introduction from the Sea, is not, by reason only of being the holder of the permit or

certificate, exempt from compliance with any law referred to in subsection (1) that applies in relation to the import, export, re-export or introduction from the sea of any wildlife.

No. 14
of 2003

- (3) Without limiting the generality of subsection (1), this Act shall not be construed as authorising or permitting the doing of any act in contravention to the Animals (Movement and Disease Prevention) Act 2003 and any other law relating to quarantine.

FIRST SCHEDULE ss. 2, 3, 6, 7, 9, 16, 20, 27, 28, 29, 31,
34, 38, 45, 62, 64, 71, 74, 76, 82

CITES Appendix I

FAUNA (ANIMALS)

PHYLUM CHORDATA

CLASS MAMMALIA (MAMMALS)

ARTIODACTYLA

Antilocapridae Pronghorn

Antilocapra americana (only the population of Mexico; no other population is included in the Appendices)

Bovidae Antelopes, cattle, duikers, gazelles, goats, sheep, etc

Addax nasomaculatus

Bos gaurus (excludes domesticated form, which is referenced as *Bos frontalis*, and is not subject to the provisions of the Convention)

Bos mutus (excludes domesticated form, which is referenced as *Bos grunniens*, and is not subject to the provisions of the Convention)

Bos sauveli

Bubalus depressicornis

Bubalus mindorensis

Bubalus quarlesi

Capra falconeri

Capricornis milneedwardsii

Capricornis rubidus

Capricornis sumatraenis

Capricornis thar

Cephalophus jentinki

Gazella cuvieri

Gazella leptoceros

Hippotragus niger variani

Naemorhedus baileyi

Naemorhedus caudatus

Naemorhedus goral

Naemorhedus griseus

Nanger dama

Oryx dammah

Oryx leucoryx

Ovis ammon hodgsonii

Ovis ammon nigrimontana

Ovis orientalis ophion

Ovis vignei vignei
Pantholops hodgsonii
Pseudoryx nghetinhensis

Camelidae **Guanaco, vicuna**

Vicugna vicugna (Except the populations of: Argentina (the populations of the provinces of Jujuy and Catamarca and the semi-captive populations of the Provinces of Jujuy, Salta Catamarca, La Rioja and San Juan); the Plurinational State of Bolivia (the whole population); Chile (population of the Primera Región); and Peru (the whole population); which are included in Appendix II)

Cervidae **Deer, guemals, muntjacs, pudus**

Axis calamianensis
Axis kuhlii
Axis porcinus annamiticus
Blastocerus dichotomus
Cervus elaphus hanglu
Dama dama mesopotamica
Hippocamelus spp.
Muntiacus crinifrons
Muntiacus vuquangensis
Ozotoceros bezoarticus
Pudu puda
Rucervus duvaucelii
Rucervus eldii

Moschidae **Musk deer**

Moschus spp. (Only the populations of Afghanistan, Bhutan, India, Myanmar, Nepal and Pakistan ; all other populations are included in Appendix II)

Suidae **Babirusa, pygmy hog**

Babyrusa babyrussa
Babyrusa bolabatuensis
Babyrusa celebensis
Babyrusa togeanensis
Sus salvanius

Tayassuidae **Peccaries**

Catagonus wagneri

CARNIVORA

Ailuridae Red panda

Ailurus fulgens

Canidae Bush dog, foxes, wolves

Canis lupus (only the populations of Bhutan, India, Nepal and Pakistan; all other populations are included in Appendix II; Excludes the domesticated form and the dingo which are referenced as *Canis lupus familiaris* and *Canis lupus dingo*)

Speothos venaticus

Felidae Cats

Acinonyx jubatus (Annual export quotas for live specimens and as hunting trophies are granted as follows: Botswana:5; Namibia: 150; Zimbabwe: 50. The trade in such specimens is subject to the provisions of Article III of the Convention)

Caracal caracal (Only the population of Asia; all other populations are included in Appendix II)

Catopuma temminckii

Felis nigripes

Leopardus geoffroyi

Leopardus jacobitus

Leopardus pardalis

Leopardus tigrinus

Leopardus wiedii

Lynx pardinus

Neofelis nebulosa

Panthera leo persica

Panthera onca

Panthera pardus

Panthera tigris

Pardofelis marmorata

Prionailurus bengalensis bengalensis (only the populations of Bangladesh, India and Thailand ; all other populations are included in Appendix II)

Prionailurus planiceps

Prionailurus rubiginosus (only the population of India; all other populations are included in Appendix II)

Puma concolor coryi

Puma concolor costaricensis

Puma concolor couguar

Puma yagouaroundi (only the populations of Central and North America; all other populations are included in Appendix II)

Uncia uncia

Lutrinae Otters

Aonyx capensis microdon (only the populations of Cameroon and Nigeria; all other populations are included in Appendix II)

Enhydra lutris nereis

Lontra felina

Lontra longicaudis

Lontra provocax

Lutra lutra

Lutra nippon

Pteronura brasiliensis

Mustelinae **Grisons, honey badger, martens, tayra, weasels**

Mustela nigripes

Otariidae **Fur seals, sea lions**

Arctocephalus townsendi

Phocidae **Seals**

Monachus spp.

Ursidae **Bears, giant panda**

Ailuropoda melanoleuca

Helarctos malayanus

Melursus ursinus

Tremarctos ornatus

Ursus arctos (only the populations of Bhutan, China, Mexico and Mongolia ; all other populations are included in Appendix II)

Ursus arctos isabellinus

Ursus thibetanus

Viverridae **Binturong, civets, lingsangs, otter-civet, palm civets**

Prionodon pardicolor

CETACEA Dolphins, porpoises, whales

Balaenidae **Bowhead whale, right whales**

Balaena mysticetus

Eubalaena spp

Balaenopteridae **Humpback whales, rorquals**

Balaenoptera acutorostrata (except the population of West Greenland, which is included in Appendix II)

Balaenoptera bonaerensis

Balaenoptera borealis

Balaenoptera edeni

Balaenoptera musculus

Balaenoptera omurai

Balaenoptera physalus

Megaptera novaeangliae

Delphinidae

Dolphins

Orcaella brevirostris

Orcaella heinsohni

Sotalia spp.

Sousa spp.

Eschrichtiidae

Grey whale

Eschrichtius robustus

Iniidae

River dolphins

Lipotes vexillifer

Neobalaenidae

Pygmy right whale

Caperea marginata

Phocoenidae

Porpoises

Neophocaena phocaenoides

Phocoena sinus

Physeteridae

Sperm whales

Physeter macrocephalus

Platanistidae

River dolphins

Platanista spp.

Ziphiidae

Beaked whales, bottle-nosed whales

Berardius spp.

Hyperoodon spp.

CHIROPTERA

Pteropodidae **Fruit bats, flying foxes**

Acerodon jubatus
Pteropus insularis
Pteropus loochoensis
Pteropus mariannus
Pteropus molossinus
Pteropus pelewensis
Pteropus pilosus
Pteropus samoensis
Pteropus tonganus
Pteropus ualanus
Pteropus yapensis

CINGULATA

Dasypodidae **Armadillos**

Priodontes maximus

DASYUROMORPHIA

Dasyuridae **Dunnarts**

Sminthopsis longicaudata
Sminthopsis psammophila

Thylacinidae **Tasmanian wolf, thylacine**

Thylacinus cynocephalus (possibly extinct)

DIPROTODONTIA

Macropodidae **Kangaroos, wallabies**

Lagorchestes hirsutus
Lagostrophus fasciatus
Onychogalea fraenata

Potoroidae **Rat-kangaroos**

Bettongia spp.

Vombatidae **Northern hairy-nosed wombat**

Lasiorhinus krefftii

LAGOMORPHA

Leporidae **Hispid hare, volcano rabbit**

Caprolagus hispidus

Romerolagus diazi

PERAMELEMORPHIA

Peramelidae **Bandicoots, echymiperas**

Perameles bougainville

Thylacomyidae **Bilbies**

Macrotis lagotis

PERISSODACTYLA

Equidae **Horses, wild asses, zebras**

Equus africanus (excludes the domesticated form, which is referenced as *Equus asinus*, and is not subject to the provisions of the Convention)

Equus grevyi

Equus hemionus hemionus

Equus hemionus khur

Equus przewalskii

Equus zebra zebra

Rhinocerotidae **Rhinoceroses**

Rhinocerotidae spp. (except the subspecies included in Appendix II)

Tapiridae **Tapirs**

Tapiridae spp. (except the species included in Appendix II)

PRIMATES

Atelidae Howler and prehensile-tailed monkeys

Alouatta coibensis
Alouatta palliata
Alouatta pigra
Ateles geoffroyi frontatus
Ateles geoffroyi panamensis
Brachyteles arachnoides
Brachyteles hypoxanthus
Oreonax flavicauda

Cebidae New World Monkeys

Callimico goeldii
Callithrix aurita
Callithrix flaviceps
Leontopithecus spp.
Saguinus bicolor
Saguinus geoffroyi
Saguinus leucopus
Saguinus martinsi
Saguinus oedipus
Saimiri oerstedii

Cercopithecidae Old World Monkeys

Cercocebus galeritus
Cercopithecus diana
Cercopithecus roloway
Macaca silenus
Mandrillus leucophaeus
Mandrillus sphinx
Nasalis larvatus
Ptilocolobus kirkii
Ptilocolobus rufomitratus
Presbytis potenziani
Pygathrix spp.
Rhinopithecus spp.
Semnopithecus ajax
Semnopithecus dussumieri
Semnopithecus entellus
Semnopithecus hector
Semnopithecus hypoleucos
Semnopithecus priam

Semnopithecus schistaceus

Simias concolor

Trachypithecus geei

Trachypithecus pileatus

Trachypithecus shortridgei

Cheirogaleidae **Dwarf lemurs**

Cheirogaleidae spp.

Daubentoniidae **Aye-aye**

Daubentonia madagascariensis

Hominidae **Chimpanzees, gorilla, orang-utan**

Gorilla beringei

Gorilla gorilla

Pan spp.

Pongo abelii

Pongo pygmaeus

Hylobatidae **Gibbons**

Hylobatidae spp.

Indriidae **Avahi, indris, sifakas, woolly lemurs**

Indriidae spp.

Lemuridae **Large lemurs**

Lemuridae spp.

Lepilemuridae **Sportive lemurs**

Lepilemuridae spp.

Lorisidae **Lorises**

Nycticebus spp.

Pitheciidae **Sakis and uakaris**

Cacajao spp.

Chiropotes albinasus

PROBOSCIDEA

Elephantidae **Elephants**

Elephas maximus

Loxodonta africana (except the populations of Botswana, Namibia, South Africa and Zimbabwe, which are included in Appendix II)

RODENTIA

Chinchillidae **Chinchillas**

Chinchilla spp. (specimens of the domesticated form are not subject to the provisions of the Convention)

Muridae **Mice, rats**

Leporillus conditor

Pseudomys fieldi praeconis

Xeromys myoides

Zyzomys pedunculatus

Sciuridae **Ground squirrels, tree squirrels**

Cynomys mexicanus

SIRENIA

Dugongidae **Dugong**

Dugong dugon

Trichechidae **Manatees**

Trichechus inunguis

Trichechus manatus

Trichechus senegalensis

CLASS AVES (BIRDS)

ANSERIFORMES

Anatidae **Ducks, geese, swans etc.**

Anas aucklandica

Anas chlorotis

Anas laysanensis
Anas nesiotis
Asarcornis scutulata
Branta canadensis leucopareia
Branta sandvicensis
Rhodonessa caryophyllacea (possibly extinct)

APODIFORMES

Trochilidae **Hummingbirds**

Glaucis dohrnii

CHARADRIIFORMES

Laridae Gull

Larus relictus

Scolopacidae **Curlews, greenshanks**

Numenius borealis
Numenius tenuirostris
Tringa guttifer

CICONIIFORMES

Ciconiidae **Storks**

Ciconia boyciana
Jabiru mycteria
Mycteria cinerea

Threskiornithidae **Ibises, spoonbills**

Geronticus eremita
Nipponia nippon

COLUMBIFORMES

Columbidae **Doves, pigeons**

Caloenas nicobarica
Ducula mindorensis

CORACIIFORMES

Bucerotidae **Hornbills**

Aceros nipalensis
Buceros bicornis
Rhinoplax vigil
Rhyticeros subruficollis

FALCONIFORMES

Accipitridae **Hawks, eagles**

Aquila adalberti
Aquila heliaca
Chondrohierax uncinatus wilsonii
Haliaeetus albicilla
Harpia harpyja
Pitheophaga jefferyi

Cathartidae **New World Vultures**

Gymnogyps californianus
Vultur gryphus

Falconidae **Falcons**

Falco araeus
Falco jugger
Falco newtoni (only the population of Seychelles)
Falco peregrinoides
Falco peregrinus
Falco punctatus
Falco rusticolus

GALLIFORMES

Cracidae **Chachalacas, curassows, guans**

Crax blumenbachii
Mitu mitu
Oreophaps derbianus
Penelope albipennis
Pipile jacutinga
Pipile pipile

Megapodiidae **Megapodes, scrubfowl**

Macrocephalon maleo

Phasianidae

Grouse, partridges, pheasants, tragopans

Catreus wallichii
Colinus virginianus ridgwayi
Crossoptilon crossoptilon
Crossoptilon mantchuricum
Lophophorus impejanus
Lophophorus lhuysii
Lophophorus sclateri
Lophura edwardsi
Lophura swinhoii
Polyplectron napoleonis
Rheinardia ocellata
Syrnaticus ellioti
Syrnaticus humiae
Syrnaticus mikado
Tetraogallus caspius
Tetraogallus tibetanus
Tragopan blythii
Tragopan caboti
Tragopan melanocephalus

GRUIFORMES

Gruidae

Cranes

Grus americana
Grus canadensis nesiotes
Grus canadensis pulla
Grus japonensis
Grus leucogeranus
Grus monacha
Grus nigricollis
Grus vipio

Otididae

Bustards

Ardeotis nigriceps
Chlamydotis macqueenii
Chlamydotis undulata
Houbaropsis bengalensis

Rallidae

Rail

Gallirallus sylvestris

Rhynochetidae **Kagu**

Rhynochetos jubatus

PASSERIFORMES

Atrichornithidae **Scrub-bird**

Atrichornis clamosus

Cotingidae **Cotingas**

Cotinga maculata

Xipholena atropurpurea

Fringillidae **Finches**

Carduelis cucullata

Hirundinidae **Martin**

Pseudochelidon sirintarae

Icteridae **Blackbird**

Xanthopsar flavus

Meliphagidae **Honeyeater**

Lichenostomus melanops cassidix

Muscicapidae **Old World Flycatchers**

Dasyornis broadbenti litoralis (possibly extinct)

Dasyornis longirostris

Picathartes gymnocephalus

Picathartes oreas

Pittidae **Pittas**

Pitta gurneyi

Pitta kochi

Sturnidae **Mynahs (Starlings)**

Leucopsar rothschildi

Zosteropidae **White-eye**

Zosterops albogularis

PELICANIFORMES

Fregatidae **Frigatebird**

Fregata andrewsi

Pelecanidae **Pelican**

Pelecanus crispus

Sulidae **Booby**

Papasula abbotti

PICIFORMES

Picidae **Woodpeckers**

Dryocopus javensis richardsi

PODICIPEDIFORMES

Podicipedidae **Grebe**

Podilymbus gigas

PROCELLARIIFORMES

Diomedidae **Albatross**

Phoebastria albatrus

PSITTACIFORMES

Cacatuidae **Cockatoos**

Cacatua goffiniana

Cacatua haematuropygia

Cacatua moluccensis

Cacatua sulphurea

Probosciger aterrimus

Loriidae

Lories, Lorikeets

Eos histrio

Vini ultramarina

Psittacidae

Amazons, macaws, parakeets, parrots

Amazona arausiaca

Amazona auropalliata

Amazona barbadensis

Amazona brasiliensis

Amazona finschi

Amazona guildingii

Amazona imperialis

Amazona leucocephala

Amazona oratrix

Amazona pretrei

Amazona rhodocorytha

Amazona tucumana

Amazona versicolor

Amazona vinacea

Amazona viridigenalis

Amazona vittata

Anodorhynchus spp.

Ara ambiguus

Ara glaucogularis (Often traded under the incorrect designation *Ara caninde*)

Ara macao

Ara militaris

Ara rubrogenys

Cyanopsitta spixii

Cyanoramphus cookii

Cyanoramphus forbesi

Cyanoramphus novaezelandiae

Cyanoramphus saisseti

Cyclopsitta diophthalma coxeni

Eunymphicus cornutus

Guarouba guarouba

Neophema chrysogaster

Ognorhynchus icterotis

Pezoporus occidentalis (Possibly extinct)

Pezoporus wallicus

Pionopsitta pileata

Primolius couloni

Primolius maracana

Psephotus chrysopterygius

Psephotus dissimilis

Psittacula echo
Pyrrhura cruentata
Rhynchopsitta spp.
Strigops habroptilus

RHEIFORMES

Rheidae **Rheas**

Pterocnemia pennata (except *Pterocnemia pennata pennata* which is included in Appendix II)

SPHENISCIFORMES

Spheniscidae **Penguins**

Spheniscus humboldti

STRIGIFORMES

Strigidae **Owls**

Heteroglaux blewitti
Mimizuku gurneyi
Ninox natalis
Ninox novaeseelandiae undulata

Tytonidae **Barn owls**

Tyto soumagnei

STRUTHIONIFORMES

Struthionidae **Ostrich**

Struthio camelus (only the populations of Algeria, Burkina Faso, Cameroon, the Central African Republic, Chad, Mali, Mauritania, Morocco, the Niger, Nigeria, Senegal and the Sudan; all other populations are not included in the Appendices)

TINAMIFORMES

Tinamidae **Tinamous**

Tinamus solitarius

TROGONIFORMES

Trogonidae

Quetzals

Pharomachrus mocinno

CLASS REPTILIA (REPTILES)

CROCODYLIA

Alligatoridae

Alligators, caimans

Alligator sinensis

Caiman crocodilus apaporiensis

Caiman latirostris (except the population of Argentina, which is included in Appendix II)

Melanosuchus niger (except the populations of Brazil and Ecuador which are included in Appendix II)

Crocodylidae

Crocodiles

Crocodylus acutus (except the population of Cuba which is included in Appendix II)

Crocodylus cataphractus

Crocodylus intermedius

Crocodylus mindorensis

Crocodylus moreletii

Crocodylus niloticus (except the populations of Botswana, Ethiopia, Kenya, Madagascar, Malawi, Mozambique, Namibia, South Africa, Uganda, the United Republic of Tanzania, Zambia and Zimbabwe, which are included in Appendix II)

Crocodylus palustris

Crocodylus porosus (except the populations of Australia, Indonesia and Papua New Guinea, which are included in Appendix II)

Crocodylus rhombifer

Crocodylus siamensis

Osteolaemus tetraspis

Tomistoma schlegelii

Gavialidae

Gavial

Gavialis gangeticus

RHYNCHOCEPHALIA

Sphenodontidae

Tuatara

Sphenodon spp.

SAURIA

Chamaeleonidae

Chameleons

Brookesia perarmata

Helodermatidae

Beaded lizard, gila monster

Heloderma horridum charlesbogerti

Iguanidae

Iguanas

Brachylophus spp.

Cyclura spp.

Sauromalus varius

Lacertidae

Lizards

Gallotia simonyi

Varanidae

Monitor lizards

Varanus bengalensis

Varanus flavescens

Varanus griseus

Varanus komodoensis

Varanus nebulosus

SERPENTES

Boidae

Boas

Acrantophis spp.

Boa constrictor occidentalis

Epicrates inornatus

Epicrates monensis

Epicrates subflavus

Sanzinia madagascariensis

Bolyeriidae

Round Island Boas

Bolyeria multocarinata

Casarea dussumieri

Pythonidae

Pythons

Python molurus molurus

Viperidae

Vipers

Vipera ursinii (Only the population of Europe, except the area which formerly constituted the Union of Soviet Socialist Republics; these latter populations are not included in the Appendices)

TESTUDINES

Chelidae

Austro-American side-necked turtles

Pseudemydura umbrina

Cheloniidae

Marine turtles

Cheloniidae spp.

Dermochelyidae

Leatherback turtle

Dermochelys coriacea

Emydidae

Box turtles, freshwater turtles

Glyptemys muhlenbergii
Terrapene coahuila

Geoemydidae

Boxturtles, freshwater turtles

Batagur affinis
Batagur baska
Geoclemys hamiltonii
Melanochelys tricarinata
Morenia ocellata
Pangshura tecta

Testudinidae

Tortoises

Astrochelys radiata
Astrochelys yniphora
Chelonoidis nigra
Geochelone platynota
Gopherus flavomarginatus
Psammobates geometricus
Pyxis arachnoides
Pyxis planicauda

Testudo kleinmanni

Trionychidae

Softshell turtles, terrapins

Apalone spinifera atra

Chitra chitra

Chitra vandijki

Nilssonia gangeticus

Nilssonia hurum

Nilssonia nigricans

CLASS AMPHIBIA (AMPHIBIANS)

ANURA

Bufonidae

Toads

Altiphrynoides spp.

Atelopus zeteki

Incilius periglenes

Amietophrynus superciliaris

Nectophrynoides spp.

Nimbaphrynoides spp.

Microhylidae

Red rain frog, tomato frog

Dyscophus antongilii

CAUDATA

Cryptobranchidae

Giant salamanders

Andrias spp.

Hynobiidae

Asiatic salamanders

Salamandridae

Newts and salamanders

Neurergus kaiseri

CLASS ELASMOBRANCHII (SHARKS)

RAJIFORMES

Pristidae

Sawfishes

Pristidae spp. (except the species included in Appendix II)

CLASS ACTINOPTERYGII (FISH)

ACIPENSERIFORMES

Acipenseridae **Sturgeons**

Acipenser brevirostrum

Acipenser sturio

CYPRINIFORMES

Catostomidae **Cui-ui**

Chasmistes cujus

Cyprinidae **Blind carps, plaesok**

Probarbus jullieni

OSTEOGLOSSIFORMES

Osteoglossidae **Arapaima, bonytongue**

Scleropages formosus

PERCIFORMES

Sciaenidae **Totoaba**

Totoaba macdonaldi

SILURIFORMES

Pangasiidae **Pangasid catfish**

Pangasianodon gigas

CLASS SARCOPTERYGII (LUNGFISHES)

COELACANTHIFORMES

Latimeriidae **Coelacanth**

Latimeria spp.

PHYLUM ARTHROPODA

CLASS INSECTA (INSECTS)

LEPIDOPTERA

Papilionidae

Birdwing butterflies, swallowtail butterflies

Ornithoptera alexandrae

Papilio chikae

Papilio homerus

PHYLUM MOLLUSCA

CLASS BIVALVIA (CLAMS, MUSSELS)

UNIONOIDA

Unionidae

Freshwater mussels, pearly mussels

Conradilla caelata

Dromus dromas

Epioblasma curtisi

Epioblasma florentina

Epioblasma sampsonii

Epioblasma sulcata perobliqua

Epioblasma torulosa gubernaculum

Epioblasma torulosa torulosa

Epioblasma turgidula

Epioblasma walkeri

Fusconaia cuneolus

Fusconaia edgariana

Lampsilis higginsii

Lampsilis orbiculata orbiculata

Lampsilis satur

Lampsilis virescens

Plethobasus cicatricosus

Plethobasus cooperianus

Pleurobema plenum

Potamilus capax

Quadrula intermedia

Quadrula sparsa

Toxoplasma cylindrella

Unio nickliniana

Unio tampicoensis tecomatensis

Villosa trabalis

CLASS GASTROPODA (SNAILS AND CONCHES)

STYLOMMATOPHORA

Achatinellidae **Agate snails, oahu tree snails**

Achatinella spp.

FLORA (PLANTS)

AGAVACEAE **Agaves**

Agave parviflora

APOCYNACEAE **Elephant trunks, hoodias**

Pachypodium ambongense

Pachypodium baronii

Pachypodium decaryi

ARAUCARIACEAE **Monkey-puzzle tree**

Araucaria araucana

CACTACEAE **Cacti**

Ariocarpus spp.

Astrophytum asterias

Aztekium ritteri

Coryphantha werdermannii

Discocactus spp.

Echinocereus ferreirianus ssp. *lindsayi*

Echinocereus schmollii

Escobaria minima

Escobaria sneedii

Mammillaria pectinifera

Mammillaria solisioides

Melocactus conoideus

Melocactus deinacanthus

Melocactus glaucescens

Melocactus paucispinus

Obregonia denegrii

Pachycereus militaris

Pediocactus bradyi
Pediocactus knowltonii
Pediocactus paradinei
Pediocactus peeblesianus
Pediocactus sileri
Pelecypora spp.
Sclerocactus brevihamatus ssp. *tobuschii*
Sclerocactus erectocentrus
Sclerocactus glaucus
Sclerocactus mariposensis
Sclerocactus mesae-verdae
Sclerocactus nyensis
Sclerocactus papyracanthus
Sclerocactus pubispinus
Sclerocactus wrightiae
Strombocactus spp.
Turbinicarpus spp.
Uebelmannia spp.

COMPOSITAE (Asteraceae)

Kuth

Saussurea costus

CUPRESSACEAE

Alerce, cypresses

Fitzroya cupressoides
Pilgerodendron uviferum

CYCADACEAE

Cycads

Cycas beddomei

EUPHORBIACEAE

Spurges

Euphorbia ambovombensis
Euphorbia capsaintemariensis
Euphorbia cremersii (includes the forma *viridifolia* and the var. *rakotozafyi*)
Euphorbia cylindrifolia (includes the ssp. *tuberifera*)
Euphorbia decaryi (includes the vars. *ampanihyensis*, *robinsonii* and *spirosticha*)
Euphorbia francoisii
Euphorbia moratii (includes the vars. *antsingiensis*, *bemarahensis* and *multiflora*)
Euphorbia parvicyathophora
Euphorbia quartziticola
Euphorbia tulearensis

FOUQUIERIACEAE **Ocotillos**

Fouquieria fasciculata
Fouquieria purpusii

LEGUMINOSAE (Fabaceae) **Afrormosia, cristobal, rosewood, sandalwood**

Dalbergia nigra

LILIACEAE **Aloes**

Aloe albida
Aloe albiflora
Aloe alfredii
Aloe bakeri
Aloe bellatula
Aloe calcairophila
Aloe compressa (includes the vars. *paucituberculata*, *rugosquamosa* and *schistophila*)
Aloe delphinensis
Aloe descoingsii
Aloe fragilis
Aloe haworthioides (includes the var. *aurantiaca*)
Aloe helenae
Aloe laeta (includes the var. *maniaensis*)
Aloe parallelifolia
Aloe parvula
Aloe pillansii
Aloe polyphylla
Aloe rauhii
Aloe suzannae
Aloe versicolor
Aloe vossii

NEPENTHACEAE **Pitcher-plants (Old World)**

Nepenthes khasiana
Nepenthes rajah

ORCHIDACEAE **Orchids**

(For all of the following Appendix-I species, seedling or tissue cultures obtained *in vitro*, in solid or liquid media, transported in sterile containers are not subject to the provisions of the Convention)

Aerangis ellisii
Dendrobium cruentum

Laelia jongheana
Laelia lobata
Paphiopedilum spp.
Peristeria elata
Phragmipedium spp.
Renanthera imschootiana

PALMAE (Arecaceae) Palms

Chrysalidocarpus decipiens

PINACEAE Guatemala fir

Abies guatemalensis

PODOCARPACEAE Podocarps

Podocarpus parlatorei

RUBIACEAE Ayugue

Balmea stormiae

SARRACENIACEAE Pitcher plants (New World)

Sarracenia oreophila
Sarracenia rubra ssp. *alabamensis*
Sarracenia rubra ssp. *jonesii*

STANGERIACEAE Stangerias

Stangeria eriopus

ZAMIACEAE Cycads

Ceratozamia spp.
Chigua spp.
Encephalartos spp.
Microcycas calocoma

SECOND SCHEDULE ss. 2, 3, 6, 7, 9, 16, 20, 27, 28, 29,
38, 45, 64, 71, 74, 76, 82

CITES Appendix II

FAUNA (ANIMALS)

PHYLUM CHORDATA

CLASS MAMMALIA (MAMMALS)

Bovidae **Antelopes, cattle, duikers, gazelles, goats, sheep, etc.**

Ammotragus lervia

Bison bison athabasca

Budorcas taxicolor

Cephalophus brookei

Cephalophus dorsalis

Cephalophus ogilbyi

Cephalophus silvicultor

Cephalophus zebra

Damaliscus pygargus pygargus

Kobus leche

Ovis ammon (Except the subspecies included in Appendix I)

Ovis canadensis (Only the population of Mexico; no other population is included in the Appendices)

Ovis vignei (Except the subspecies included in Appendix I)

Philantomba monticola

Saiga borealis

Saiga tatarica

Rupicapra pyrenaica ornata

Camelidae **Guanaco, vicuna**

Lama guanicoe

Vicugna vicugna (Only the populations of: Argentina¹ (the provinces of Jujuy and Catamarca and the semi-captive populations of the Provinces of Jujuy, Catamarca, La Rioja and San Juan); the Plurinational State of Bolivia² (the whole population);

¹ Population of Argentina listed in Appendix II: for the exclusive purpose of allowing international trade in wool sheared from live vicunas, in cloth, and in derived manufactured products and other handicraft artefacts. The reverse side of the cloth must bear the logotype adopted by the Range States of the species, which are signatories to Convenio para la Conservación y Manejo de la Vicuña, and the selvages the words: 'VICUNA - ARGENTINA.' Other products must bear a label including the logotype and the designation 'VICUNA- ARGENTINA-ARTESANIA.' All other specimens shall be deemed to be specimens of species included in Appendix I and the trade in these shall be regulated accordingly.

² Population of the Plurinational State of Bolivia (listed in Appendix II): For the exclusive purpose of allowing international trade in wool sheared from live vicunas, and in cloth and items made thereof,

Chile³ (population of the Primera Región); and Peru⁴ (the whole population); Ecuador⁵ (the whole population); which are included in Appendix III)

Cervidae **Deer, guemals, muntjacs, pudus**

Cervus elaphus bactrianus

Pudu mephistophiles

Hippopotamidae **Hippopotamuses**

Hexaprotodon liberiensis

Hippopotamus amphibius

Moschidae **Musk deer**

***Moschus* spp.** (Except the populations of Afghanistan, Bhutan, India, Myanmar, Nepal and Pakistan, which are included in Appendix I)

including luxury handicrafts and knitted articles. The reverse side of the cloth must bear the logotype adopted by the Range States of the species, which are signatories to Convenio para la Conservacion y Manejo de la Vicuna, and the selvages the words: 'VICUNA - Bolivia.' Other products must bear a label including the logotype and the designation 'VICUNA- Bolivia-ARTESANIA.' All other specimens shall be deemed to be specimens of species included in Appendix I and the trade in these shall be regulated accordingly.

³ Population of Chile (listed in Appendix II): For the exclusive purpose of allowing international trade in wool sheared from live vicunas, and in cloth and items made thereof, including luxury handicrafts and knitted articles. The reverse side of the cloth must bear the logotype adopted by the Range States of the species, which are signatories to Convenio para la Conservacion y Manejo de la Vicuna, and the selvages the words: 'VICUNA - CHILE.' Other products must bear a label including the logotype and the designation 'VICUNA- CHILE-ARTESANIA.' All other specimens shall be deemed to be specimens of species included in Appendix I and the trade in these shall be regulated accordingly.

⁴ Population of Peru (listed in Appendix II): For the exclusive purpose of allowing international trade in wool sheared from live vicunas and in the stock extant at the time of ninth meeting of the Conference of Parties (November 1994) of 3249 kg of wool, and in cloth and items made thereof, including luxury handicrafts and knitted articles. The reverse side of the cloth must bear the logotype adopted by the Range States of the species, which are signatories to Convenio para la Conservacion y Manejo de la Vicuna, and the selvages the words: 'VICUNA - PERU.' Other products must bear a label including the logotype and the designation 'VICUNA- PERU-ARTESANIA.' All other specimens shall be deemed to be specimens of species included in Appendix I and the trade in these shall be regulated accordingly.

⁵ Population of Ecuador (listed in Appendix II): For the exclusive purpose of allowing international trade in wool sheared from live vicunas, and in cloth and items made thereof, including luxury handicrafts and knitted articles. The reverse side of the cloth must bear the logotype adopted by the Range States of the species, which are signatories to Convenio para la Conservacion y Manejo de la Vicuna, and the selvages the words: 'VICUNA - Ecuador.' Other products must bear a label including the logotype and the designation 'VICUNA- Ecuador -ARTESANIA.' All other specimens shall be deemed to be specimens of species included in Appendix I and the trade in these shall be regulated accordingly.

Tayassuidae

Peccaries

Tayassuidae spp. (Except the species included in Appendix I and the populations of *Pecari tajacu* of Mexico and the United States of America, which are not included in the Appendices)

CARNIVORA

Canidae

Bush dog, foxes, wolves

Canis lupus (Except the populations of Bhutan, India, Nepal and Pakistan, which are included in Appendix I. Excludes the domesticated form and the dingo which are referenced as *Canis lupus familiaris* and *Canis lupus dingo*)

Cerdocyon thous

Chrysocyon brachyurus

Cuon alpinus

Lycalopex culpaeus

Lycalopex fulvipes

Lycalopex griseus

Lycalopex gymnocercus

Vulpes cana

Vulpes zerda

Eupleridae

Fossa, falanouc, Malagasy civet

Cryptoprocta ferox

Eupleres goudotii

Fossa fossana

Felidae

Cats

Felidae spp. (Except the species included in Appendix I. Specimens of the domesticated form are not subject to the provisions of the Convention)

Mephitidae

Hog-nosed skunk

Conepatus humboldtii

Lutrinae

Otters

Lutrinae spp. (Except the species included in Appendix I)

Otariidae

Fur seals, sealions

Arctocephalus spp. (Except the species included in Appendix I)

Phocidae

Seals

Mirounga leonina

Ursidae

Bears, giant panda

Ursidae spp. (Except the species included in Appendix I)

Viverridae

Binturong, civets, linsangs, otter-civet, palm civets

Cynogale bennettii

Hemigalus derbyanus

Prionodon linsang

CETACEA

Dolphins, porpoises, whales

CETACEA spp. (Except the species included in Appendix I. A zero annual quota has been established for live specimens from the Black Sea population of *Tursiops truncatus* removed from the wild and traded for primarily commercial purposes.)

CHIROPTERA

Pteropodidae

Fruit bats, flying foxes

Acerodon spp. (Except the species included in Appendix I)

Pteropus spp. (Except the species included in Appendix I)

CINGULATA

Dasypodidae

Armadillos

Chaetophractus nationi (A zero annual export quota has been established. All specimens shall be deemed to be specimens of species included in Appendix I and the trade in them shall be regulated accordingly)

DIPROTODONTIA

Macropodidae

Kangaroos, wallabies

Dendrolagus inustus

Dendrolagus ursinus

Phalangeridae

Cuscuses

Phalanger intercastellanus

Phalanger mimicus

Phalanger orientalis
Spilocuscus kraemeri
Spilocuscus maculatus
Spilocuscus papuensis

MONOTREMATA

Tachyglossidae **Echidnas, spiny anteaters**

Zaglossus spp.

PERISSODACTYLA

Equidae **Horses, wild asses, zebras**

Equus hemionus (Except the subspecies included in Appendix I)
Equus kiang
Equus zebra hartmannae

Rhinocerotidae **Rhinoceroses**

Ceratotherium simum simum (Only the populations of South Africa and Swaziland; all other populations are included in Appendix I. For the exclusive purpose of allowing international trade in live animals to appropriate and acceptable destinations and hunting trophies. All other specimens shall be deemed to be specimens of species included in Appendix I and the trade in them shall be regulated accordingly)

Tapiridae **Tapirs**

Tapirus terrestris

PHOLIDOTA

Manidae **Pangolins**

Manis spp. (A zero annual quota has been established for *Manis crassicaudata*, *M. culionensis*, *M. javanica* and *M. pentactyla* for specimens removed from the wild and traded for primarily commercial purposes).

PILOSA

Bradypodidae **Three-toed sloth**

Bradypus variegatus

Myrmecophagidae **American anteaters**

Myrmecophaga tridactyla

PRIMATES

Apes, monkeys

PRIMATES spp. (Except the species included in Appendix I)

PROBOSCIDEA

Elephantidae

Elephants

*Loxodonta africana*⁶ (Only the populations of **Botswana, Namibia, South Africa** and **Zimbabwe**; all other populations are included in Appendix I)

⁶ Populations of Botswana, Namibia, South Africa and Zimbabwe (listed in Appendix II):

For the exclusive purpose of allowing:

- (a) Trade in hunting trophies for non-commercial purposes;
- (b) Trade in live animals to appropriate and acceptable destinations, as defined in Resolution Conf. 11.20 for Botswana and Zimbabwe and for in situ conservation programmes for South Africa and Namibia;
- (c) Trade in hides;
- (d) Trade in hair;
- (e) Trade in leather goods for commercial or non-commercial purposes for Botswana, Namibia and South Africa and for non-commercial purposes for Zimbabwe;
- (f) Trade in individually marked and certified ekipas incorporated in finished jewellery for non-commercial purposes for Namibia and ivory carvings for non-commercial purposes for Zimbabwe;
- (g) Trade in registered raw ivory (for Botswana, Namibia, South Africa and Zimbabwe, whole tusks and pieces) subject to the following:
 - i. Only registered government owned stocks, originating in the State (excluding seized ivory and ivory of unknown origin);
 - ii. Only to trading partners that have been verified by the Secretariat, in consultation with the Standing Committee, to have sufficient national legislation and domestic trade controls to ensure that the imported ivory will not be re-exported and will be managed in accordance with the requirements of Resolution Conf. 10.10 (Rev. COP16) concerning domestic manufacturing and trade;
 - iii. Not before the Secretariat has verified the prospective importing countries and the registered government owned stocks;
 - iv. Raw ivory pursuant to the conditional sale of registered government owned ivory stocks agreed at COP12 which are 20,000kg (Botswana), 10,000kg (Namibia), and 30,000kg (South Africa);
 - v. In addition to the quantities agreed at COP12, government-owned ivory from Botswana, Namibia, South Africa and Zimbabwe registered by January 31, 2007 and verified by the Secretariat may be traded and dispatched, with the ivory in paragraph g)iv) above, in a single sale per destination under strict supervision of the Secretariat;
 - vi. The proceeds of the trade are used exclusively for elephant conservation and community conservation and development programmes within or adjacent to the elephant range; and
 - vii. The additional quantities specified in paragraph g)v) above shall be traded only after the Standing Committee has agreed that the above conditions have been met.
- (h) No further proposals to allow trade in elephant ivory from populations already in Appendix II shall be submitted to the Conference of Parties for the period from COP14 and ending nine years from the date of the single sale of ivory that is to take place in accordance with provisions in paragraphs g)i), g)iii), g) vi) and g)vii). In addition such further proposals shall be dealt with in accordance with Decisions 14.77 and 14.78 (Rev. COP15).

RODENTIA

Sciuridae

Ground squirrels, tree squirrels*Ratufa spp.***SCANDENTIA**

Tupaiaidae

Tree shrews*SCANDENTIA spp.***CLASS AVES
(BIRDS)****ANSERIFORMES**

Anatidae

Ducks, geese, swans, etc.*Anas bernieri**Anas formosa**Branta ruficollis**Coscoroba coscoroba**Cygnus melancoryphus**Dendrocygna arborea**Oxyura leucocephala**Sarkidiornis melanotos***APODIFORMES**

Trochilidae

Hummingbirds

Trochilidae spp. (Except the species included in Appendix I)

CICONIIFORMES

Balaenicipitidae

Shoebill, whale-headed stork*Balaeniceps rex*

Ciconiidae

Storks

On a proposal from the Secretariat, the Standing Committee can decide to cause this trade to cease partially or completely in the event of non-compliance by exporting or importing countries, or in the case of proven detrimental impacts of the trade on other elephant populations.

All other specimens shall be deemed to be specimens of species included in Appendix I and the trade in these shall be regulated accordingly.

Ciconia nigra

Phoenicopteridae **Flamingos**

Phoenicopteridae spp.

Threskiornithidae **Ibises, spoonbills**

Eudocimus ruber

Geronticus calvus

Platalea leucorodia

COLUMBIFORMES

Columbidae **Doves, pigeons**

Gallicolumba luzonica

Goura spp.

CORACIIFORMES

Bucerotidae **Hornbills**

*Aceros*spp. (Except the species included in Appendix I)

Anorrhinus spp.

Anthracoceros spp.

Berenicornis spp.

*Buceros*spp. (Except the species included in Appendix I)

Penelopides spp.

Rhyticeros spp. (Except the species included in Appendix I)

CUCULIFORMES

Musophagidae **Turacos**

Tauraco spp.

FALCONIFORMES **Eagles, falcons, hawks, vultures**

FALCONIFORMES spp. (Except the species included in Appendices I and III and the species of the family Cathartidae)

GALLIFORMES

Phasianidae **Grouse, guineafowl, partridges, pheasants, tragopans**

Argusianus argus
Gallus sonneratii
Ithaginis cruentus
Pavo muticus
Polyplectron bicalcaratum
Polyplectron germaini
Polyplectron malacense
Polyplectron schleiermachersi
Tympanuchus cupido attwateri

GRUIFORMES

Gruidae **Cranes**

Gruidae spp. (Except the species included in Appendix I)

Otididae Bustards

Otididae spp. (Except the species included in Appendix I)

PASSERIFORMES

Cotingidae **Cotingas**

Rupicola spp.

Emberizidae Cardinals, tanagers

Gubernatrix cristata
Paroaria capitata
Paroaria coronata
Tangara fastuosa

Estrildidae **Mannikins, waxbills**

Amandava formosa
Lonchura oryzivora
Poephila cincta cincta

Fringillidae **Finches**

Carduelis yarrellii

Muscicapidae **Old World flycatchers**

Cyornis ruckii

Garrulax canorus
Garrulax taewanus
Leiothrix argenteauris
Leiothrix lutea
Liocichla omeiensis

Paradisaeidae **Birds of paradise**

Paradisaeidae spp.

Pittidae **Pittas**

Pitta guajana
Pitta nympha

Pycnonotidae **Bulbul**

Pycnonotus zeylanicus

Sturnidae **Mynahs (Starlings)**

Gracula religiosa

PICIFORMES

Ramphastidae **Toucans**

Pteroglossus aracari
Pteroglossus viridis
Ramphastos sulfuratus
Ramphastos toco
Ramphastos tucanus
Ramphastos vitellinus

PSITTACIFORMES

PSITTACIFORMES spp. (Except the species included in Appendix I and *Agapornis roseicollis*, *Melopsittacus undulatus*, *Nymphicus hollandicus* and *Psittacula krameri*, which are not included in the Appendices)

RHEIFORMES

Rheidae **Rheas**

Pterocnemia pennatapennata
Rhea americana

SPHENISCIFORMES

Spheniscidae **Penguins**

Spheniscus demersus

STRIGIFORMES **Owls**

STRIGIFORMES spp. (Except the species included in Appendix I)

CLASS REPTILIA (REPTILES)

CROCODYLIA **Alligators, caimans, crocodiles**

CROCODYLIA spp. (Except the species included in Appendix I)

SAURIA

Agamidae **Agamas, mastigures**

Saara spp.

Uromastyx spp

Chaemaeleonidae **Chameleons**

Archaius spp.

Bradypodion spp.

Brookesia spp. (Except the species included in Appendix I)

Calumma spp.

Chamaeleo spp.

Furcifer spp.

Kinyongia spp.

Nadzikambia spp.

Cordylidae **Spiny-tailed lizards**

Cordylus spp.

Gekkonidae **Geckos**

Nactus serpensinsula

Phelsuma spp.

Uroplatus spp.

Helodermatidae **Beaded lizard, gila monster**

Heloderma spp. (Except the subspecies included in Appendix I)

Iguanidae **Iguanas**

Amblyrhynchus cristatus

Conolophus spp.

Ctenosaura bakeri

Ctenosaura oedirhina

Ctenosaura melanosterna

Ctenosaura palearis

Iguana spp.

Phrynosoma blainvillii

Phrynosoma cerroense

Phrynosoma coronatum

Phrynosoma wigginsi

Lacertidae **Lizards**

Podarcis lilfordi

Podarcis pityusensis

Scincidae **Skinks**

Corucia zebrata

Teiidae **Caiman lizards, tegu lizards**

Crocodylurus amazonicus

Dracaena spp.

Tupinambis spp.

Varanidae **Monitor lizards**

Varanus spp. (Except the species included in Appendix I)

Xenosauridae **Chinese crocodile lizard**

Shinisaurus crocodilurus

SERPENTES Snakes

Boidae **Boas**

Boidae spp. (Except the species included in Appendix I)

Bolyeriidae **Round Island boas**

Bolyeriidae spp. (Except the species included in Appendix I)

Colubridae **Typical snakes, water snakes, whipsnakes**

Clelia clelia

Cyclagras gigas

Elachistodon westermanni

Ptyas mucosus

Elapidae **Cobras, coral snakes**

Hoplocephalus bungaroides

Naja atra

Naja kaouthia

Naja mandalayensis

Naja naja

Naja oxiana

Naja philippensis

Naja sagittifera

Naja samarensis

Naja siamensis

Naja sputatrix

Naja sumatrana

Ophiphagus hannah

Loxocemidae **Mexican dwarf boa**

Loxocemidae spp.

Pythonidae **Pythons**

Pythonidae spp. (Except the subspecies included in Appendix I)

Tropidophiidae **Wood boas**

Tropidophiidae spp.

Viperidae **Vipers**

Vipera wagneri

TESTUDINES

Carettochelyidae

Pig-nosed turtles

Carettochelys insculpta

Chelidae

Austro-American side-necked turtles

Chelodina mccordi

Dermatemydidae

Central American river turtle

Dermatemys mawii

Emydidae

Box turtles, freshwater turtles

Clemmys guttata

Emydoidea blandingii

Glyptemys insculpta

Terrapene spp. (Except the species included in Schedule I)

Geoemydidae

Box turtles, freshwater turtles

Batagur spp. (Except the species included in Appendix I)

Cuora spp.

Callagur borneoensis

Cuora spp.

Geoemyda spengleri

Hardella thurjii

Heosemys annandalii

Heosemys depressa

Heosemys grandis

Heosemys spinosa

Kachuga spp.

Leucocephalon yuwonoi

Malayemys macrocephala

Malayemys subtrijuga

Mauremys annamensis

Mauremys japonica

Mauremys mutica

Melanochelys trijuga

Morenia petersi

Notochelys platynota

Orlitia borneensis

Pangshura spp. (Except the species included in Appendix I)

Sacalia bealei
Sacalia quadriocellata
Siebenrockiella crassicollis
Siebenrockiella leytenensis
Vijayachelys silvatica

Platysternidae **Big-headed turtle**

Platysternon megacephalum

Podocnemididae **Afro-American side-necked turtles**

Erymnochelys madagascariensis
Peltocephalus dumerilianus
Podocnemis spp.

Testudinidae **Tortoises**

Testudinidae spp. (Except the species included in Schedule I. A zero annual export quota has been established for *Geochelone sulcata* for specimens removed from the wild and traded for primarily commercial purposes)

Trionychidae **Softshell turtles, terrapins**

Chitra spp. (Except the species included in Schedule I)
Dogania subplana
Lissemys ceylonensis
Lissemys punctata
Lissemys scutata
Nilssonina formosa
Palea steindachneri
Pelochelys spp.
Pelodiscus axenaria
Pelodiscus maackii
Pelodiscus parviformis
Rafetus swinhoei ithii

CLASS AMPHIBIA (AMPHIBIANS)

ANURA

Dendrobatidae **Poison frogs**

Allobates femoralis
Allobates hodli
Allobates myersi
Allobates rufulus

Allobates zaparo

Dendrobatidae

Poison frogs

Adelphobates spp.
Ameerega spp.
Andinobates spp.
Dendrobates spp.
Epipedobates spp.
Excidobates spp.
Hyloxalus azureiventris
Minyobates spp.
Oophaga spp.
Phyllobates spp.
Ranitomeya spp.

Dicroglossidae

Frogs

Euphlyctis hexadactylus
Hoplobatrachus tigerinus

Hylidae

Tree frogs

Agalychnis spp.

Mantellidae

Mantellas

Mantella spp.

Microhylidae

Red rain frog, tomato frog

Scaphiophryne gottlebei

Myobatrachidae

Gastric-brooding frogs

Rheobatrachus spp.

CAUDATA

Ambystomatidae

Axolotls

Ambystoma dumerilii
Ambystoma mexicanum

**CLASS ELASMOBRANCHII
(SHARKS)**

CARCHARHINIFORMES

Carcharhinidae **Requiem sharks**

Sphyrnidae **Hammerhead sharks**

LAMNIFORMES

Cetorhinidae **Basking shark**

Cetorhinus maximus

Lamnidae **Mackerel sharks**

Carcharodon carcharias

ORECTOLOBIFORMES

Rhincodontidae **Whale shark**

Rhincodon typus

RAJIFORMES

Pristidae **Sawfishes**

Mobulidae **Mobulid rays**

CLASS ACTINOPTERYGII (FISHES)

ACIPENSERIFORMES **Paddlefishes, sturgeons**

ACIPENSERIFORMES spp. (Except the species included in Appendix I)

ANGUILLIFORMES

Anguillidae **Freshwater eels**

Anguilla anguilla

CYPRINIFORMES

Cyprinidae **Blind carps, plaeesok**

Caecobarbus geertsi

OSTEOGLOSSIFORMES

Osteoglossidae **Arapaima, bonytongue**

Arapaima gigas

PERCIFORMES

Labridae **Wrasses**

Cheilinus undulatus

SYNGNATHIFORMES

Syngnathidae **Pipefishes, seahorses**

Hippocampus spp.

CLASS SARCOPTERYGII (LUNGFISHES)

CERATODONTIFORMES

Ceratodontidae **Australian lungfish**

Neoceratodus forsteri

P H Y L U M A R T H R O P O D A

CLASS ARACHNIDA (SCORPIONS AND SPIDERS)

ARANEAE

Theraphosidae **Red-kneed tarantulas, tarantulas**

Aphonopelma albiceps

Aphonopelma pallidum

Brachypelma spp.

SCORPIONES

Scorpionidae

Scorpions

Pandinus dictator

Pandinus gambiensis

Pandinus imperator

CLASS INSECTA (INSECTS)

Scarabaeidae

Scarab beetles

Dynastes satanas

LEPIDOPTERA

Papilionidae

Birdwing butterflies, swallowtail butterflies

Atrophaneura jophon

Atrophaneura pandiyana

Bhutanitis spp.

Ornithoptera spp. (Except the species included in Appendix I)

Papilio hospiton

Parnassius apollo

Teinopalpus spp.

Trogonoptera spp.

Troides spp.

PHYLUM ANNELIDA

CLASS HIRUDINOIDEA (LEECHES)

ARHYNCHORHDELLIDA

Hirudinidea

Medicinal Leech

Hirudo medicinalis

Hirudo verbana

PHYLUM MOLLUSCA

CLASS BIVALVIA (CLAMS AND MUSSELS)

MYTILOIDA

Mytilidae **Marine mussels**

Lithophaga lithophaga

UNIONOIDA

Unionidae **Freshwater mussels, pearly mussels**

Cyprogenia aberti

Epioblasma torulosa rangiana

Pleurobema clava

VENEROIDA

Tridacnidae **Giant clams**

Tridacnidae spp.

CLASS GASTROPODA (SNAILS AND CONCHES)

MESOGASTROPODA

Strombidae **Queen conch**

Strombus gigas

STYLOMMATOPHORA

Camaenidae **Green tree snail**

Papustyla pulcherrima

PHYLUM CNIDARIA

CLASS ANTHOZOA (CORALS, SEA ANEMONES)

ANTIPATHARIA **Black corals**

ANTIPATHARIA spp.

HELIOPORACEA

Helioporidae **Blue corals**

Helioporidae spp. (Includes only the species *Heliopora coerulea*. Fossils are not subject to the provisions of the Convention)

SCLERACTINIA **Stony corals**

SCLERACTINIA spp. (Fossils are not subject to the provisions of the Convention)

STOLONIFERA

Tubiporidae **Organ-pipe corals**

Tubiporidae spp. (Fossils are not subject to the provisions of the Convention)

CLASS HYDROZOA (SEA FERNS, FIRE CORALS, STINGING MEDUSA)

MILLEPORINA

Milleporidae **Fire corals**

Milleporidae spp. (Fossils are not subject to the provisions of the Convention)

STYLASTERINA

Stylasteridae **Lacecorals**

Stylasteridae spp. (Fossils are not subject to the provisions of the Convention)

FLORA (PLANTS)

AGAVACEAE **Agaves**

Agave victoriae-reginae #1

Nolina interrata

Yucca queretaroensis

AMARYLLIDACEAE Snowdrops, sternbergias

Galanthus spp. #1
Sternbergia spp #1

ANACARDIACEAE Cashews

Operculicarya decaryi
Operculicarya hyphaenoides
Operculicarya pachypus

APOCYNACEAE Elephant trunks, hoodias

Hoodia spp. #9
Pachypodium spp. #1 (Except the species included in Appendix 1)
Rauvolfia serpentina #2

ARALIACEAE Ginseng

Panax ginseng #3 (Only the population of the Russian Federation; no other population included in the appendices)
Panax quinquefolius #3

BERBERIDACEAE May-apple

Podophyllum hexandrum #2

BROMELIACEAE Air plants, bromelias

Tillandsia harrisii #4
Tillandsia kammii #4
Tillandsia mauryana #4
Tillandsia xerographica #

CACTACEAE Cacti

CATACEAE spp⁷. #4 (Except the species included in Appendix I and except *Pereskia* spp., *Pereskopsis* spp. and *Quiabentias* spp.)

⁷ Artificially propagated specimens of the following hybrids and/or cultivars are not subject to the provisions of the Convention:

- *Hatiora x graeseri*
- *Schlumbergera x buckleyi*
- *Schlumbergera russelliana x Schlumbergera truncata*
- *Schlumbergera orssichiana x Schlumbergera truncata*
- *Schlumbergera opuntioides x Schlumbergera truncata*

CARYOCARACEAE **Ajo**

Caryocar costaricense #1

CUCURBITACEAE **Melons, gourds, cucurbits**

Zygosicyos pubescens

Zygosicyos tripartitus

CRASSULACEAE **Dudleyas**

Duleya stolonifera

Dudleya traskiae

CYATHEACEAE **Tree ferns**

Cyathea spp. #1

CYCADACEAE **Cycads**

CYCADACEAE spp. #1 (Except the species included in appendix I)

DICKSONIACEAE **Tree Ferns**

Cibotium barmetz #1

Dickson spp. #1(Only the populations of the Americas; no other population is included in the appendices)

DIDIEREACEAE **Alluaudias, didiereas**

DIDIEREACEAE spp. #1

DIOSCOREACEAE **Elephant's foot, kniss**

Dioscorea deltoidea #1

DROSERACEAE **Venus' flytrap**

Dionaea muscipula #1

EUPHORBIACEAE **Spurges**

-
- *Schlumbergera truncata* (cultivars)
 - Cactaceae spp. colour mutants grafted on the following grafting stocks: *Harrisia* 'Jusbertii', *Hylocereus trigonus* or *Hylocereus undatus*
 - *Opuntia microdasys* (cultivars)

Euphorbia spp. #1 (Succulent species only except the species included in Appendix I. Artificially propagated specimens of cultivars of *Euphorbia trigona*, artificially propagated specimens of crested, fan-shaped or colour mutants of *Euphorbia lactea*, when grafted on artificially propagated root stock of *Euphorbia neriifolia*, and artificially propagated specimens of cultivars of *Euphorbia* ‘Mili’ when they are traded in shipments of 100 or more plants and readily recognisable as artificially propagated specimens, are not subject to the provisions of the Convention)

FOUQUIERIACEAE

Ocotillos

Fouquieria columnaris #1

JULANDACEAE

Gavilan

Oreomunnea pterocarpa

LAURACEAE

Laurels

Aniba rosaeodora #12

LEGUMINOSAE (Fabaceae)

Afrormosia, cristobal, rosewood, sandalwood

Caesalpinia echinata #10

Dalbergia spp. #5 (Populations of Madagascar)

Dalbergia cochinchinensis

Dalbergia granadillo #6

Dalbergia retusa #6

Dalbergia stevensonii #6

Pericopsis elata #5

Platymiscium pleiostachyum #4

Pterocarpus santalinus #7

Senna meridionalis

LILIACEAE

Aloes

Aloe spp. #1 (Except the species included in Appendix I. Also excludes *Aloe vera*, also referenced as *Aloe barbadensis* which is not included in the Appendices)

MELIACEAE

Mahoganies, West Indian cedar

Swietenia humilis #1

Swietenia macrophylla #6 (Populations of the Neotropics)

Swietenia mahagoni #5

NEPENTHACEAE Pitcher-plants (Old World)

Nepenthes spp. #1 (Except the Species included in Appendix I)

ORCHIDACEAE Orchids

ORCHIDACEAE spp⁸. #4 (Except the species included in Appendix I)

ORBANCHACEAE Broomrape

Cistanche deserticola #1

PALMAE (Arecaceae) Palms

Beccariophoenix madagascariensis #1

Lemurophoenix halleuxii

Marojejya darianii

Neodypsis decaryi #1

Ravenea louvelli

Ravenea rivularis

Satranala decussilvae

Voanioala gerardii

PASSIFLORACEAE Passion-flowers

Adenia firingalavensis

Adenia olaboensis

Adenia subsessilifolia

⁸ Artificially propagated hybrids of the following genera are not subject to the provisions of the Convention, if conditions, as indicated under a) and b) are met: *Cymbidium*, *Dendrobium*, *Phalaenopsis* and *Vanda*:

- (a) Specimens are readily recognizable as artificially propagated and do not show any signs of having been collected in the wild such as mechanical damage or strong dehydration resulting from collection, irregular growth and heterogeneous size and shape within a taxon and shipment, algae or other epiphyllous organisms adhering to leaves, or damage by insects or other pests; and
- (b) when shipped in non-flowering state, the specimens must be traded in shipments consisting of individual containers (such as cartons, boxes, crates or individual shelves of CC-containers) each containing 20 or more plants of the same hybrid; the plants within each container must exhibit a high degree of uniformity and healthiness; and the shipment must be accompanied by documentation, such as invoice, which clearly states the number of plants of each hybrid:
or
- (c) when shipped in flowering state, with at least one fully open flower per specimen, no minimum number of specimens per shipment is required but specimens must be professionally processed for commercial retail sale e.g. labeled with printed packages indicating the name of the hybrid and the country of final processing. This would be clearly visible and allow easy verification.

Plants not clearly qualifying for the exemption must be accompanied by appropriate CITES documents.

PEDALIACEAE**Sesames***Uncarina grandidieri**Uncarina stellulifera***PORTULACACEAE****Lewisias, Portulacas, Purlanes***Anacampseros* spp. #1*Avonia* spp. #1*Lewisia serrata* #1**PRIMULACEAE***Cyclamen* spp.⁹. #1**RANUNCULACEAE****Golden seals, yellow Adonis, yellow root***Adonis vernalis* #2*Hydrastis Canadensis* #8**ROSACEAE****African cherry, stinkwood***Prunus africana* #1**SANTALACEAE****Sandalwoods***Osyris lanceolata* #2 (Populations of Burundi, Ethiopia, Kenya, Rwanda, Uganda and the United Republic of Tanzania)**SARRACENIACEAE****Pitcher-plants (New World)***Sarracenia* spp. #4 (Except the species included in Appendix I)**SCROPHULARIACEAE****Kutki***Picrorhizakurrooa* #2 (Excludes *Picrorhiza scrophulariiflora*)**STANGERIACEAE Stangerias***Bowenia* spp. #4**TAXACEAE****Himalayan yew***Taxus chinensis* and infraspecific taxa of this species #2

⁹ Artificially propagated specimens of cultivars of *Cyclamen persicum* are not subject to the provisions of the Convention. However, the exemption does not apply to such specimens traded as dormant tubers.

Taxus cuspidata and infraspecific taxa of this species¹⁰ #2
Taxus fuana and infraspecific taxa of this species #2
Taxus sumatrana and infraspecific taxa of this species #2
Taxus wallichiana #2

THYMELAEACEAE (Aquilariaceae) Agarwood, ramin

Aquilaria spp. #4
Gonystylus spp. #4
Gyrinops spp. #4

VALERIANACEAE Himalayan spikenard

Nardostachys grandiflora #2

VITACEAE Grapes

Cyphostemma elephantopus
Cyphostemma montagnacii
Cyphostemma laza

WELWITSCHIACEAE Welwitschia
Welwitschia mirabilis #4

ZAMIACEAE yacads

ZAMIACEAE spp #1 (Except the species included in Appendix I)

ZINGIBERACEAE Ginger Lily

Hedychium Philippinense #4

ZYGOPHYLLACEAE Lignum-vitae
Guaiacum spp. #2
Bulnesia sarmientoi #11

#1: All parts and derivatives, except:

- a) Seeds, spores and pollen (including pollinia);
- b) Seedling or tissue cultures obtained *in vitro*, in solid or liquid media, transported in sterile containers;

¹⁰ Artificially propagated hybrids and cultivars of *Taxus cuspidata* live, in pots or other small containers, each consignment being accompanied by a label or document stating the name of the taxon or taxa and the text 'artificially propagated', are not subject to the provisions of the Convention.

- c) Cut flowers of artificially propagated plants; and
- d) Fruits and parts and derivatives thereof of artificially propagated plants of the genus *Vanilla*.

#2: All parts and derivatives except:

- a) Seeds and pollen; and
- b) Finished products packaged and ready for retail trade.

#3: Whole and sliced roots and parts of roots excluding manufactured parts or derivatives such as powders, pills, extracts, tonics, teas and confectionary.

#4: All parts and derivatives except:

- a) Seeds, (including seedpods of Orchidaceae), spores and pollen (including pollinia). The exemption does not apply to seeds from Cactaceae spp. exported from Mexico, and to seeds from *Beccariophoenix madagascariensis* and *Neodypsis decaryi* exported from Madagascar;
- b) Seedlings or tissue cultures obtained *in vitro*, in solid or liquid media, transported in sterile containers;
- c) Cut flowers of artificially propagated plants;
- d) Fruits and parts and derivatives thereof of naturalized or artificially propagated plants of the genus *Vanilla* (Orchidaceae) and of the family Cactaceae;
- e) Stems, flowers, and parts and derivatives thereof, of naturalized or artificially propagated plants of the genera *Opuntia* subgenus *Opuntia* and *Selenicereus* (Cactaceae);
- f) Finished products of *Euphorbia antisyphilitica* packaged and ready for retail trade.

#5: Logs, sawn wood and veneer sheets.

#6: Logs, sawn wood, veneer sheets and plywood.

#7: Logs, wood-chips, powder and extracts.

#8: Underground parts (i.e. roots, rhizomes): whole, parts and powdered.

#9: All parts and derivatives except those bearing a label “Produced from Hoodia spp. material obtained through controlled harvesting and production under the terms of an agreement with the relevant CITES Management Authority of [Botswana under Agreement No. BW/xxxx][Namibia under Agreement No. NA/xxxx][South Africa under Agreement No. ZA/xxxx].”

#10: Logs, sawn wood, veneer sheets, including unfinished wood articles used for the fabrication of bows for stringed musical instruments.

#11: Logs, sawn wood, veneer sheets, plywood, powder and extracts.

#12: Logs, sawn wood, veneer sheets, plywood and extracts. Finished products containing such extracts as ingredients, including fragrances, are not considered to be covered by this annotation.

#13: The kernel (also known as 'endosperm', 'pulp' or 'copra') and any derivative thereof.

#14: All parts and derivatives except:

- a) Seeds and pollen;
- b) Seedlings or tissue cultures obtained *in vitro*, in solid or liquid media, transported in sterile containers;
- c) Fruits;
- d) Leaves;
- e) Exhausted agarwood powder, including compressed powder in all shapes; and
- f) Finished products packaged and ready for retail trade, this exemption does not apply to beads, prayer beads and carvings.

THIRD SCHEDULE ss. 2, 3, 6, 7, 9, 27, 28, 29, 38, 45,
64, 71, 74, 76, 82

CITES Appendix III

FAUNA (ANIMALS)

PHYLUM CHORDATA

CLASS MAMMALIA (MAMMALS)

ARTIODACTYLA

Bovidae Antelopes, cattle, duikers, gazelles, goats, sheep, etc

<i>Antilope cervicapra</i>	Nepal
<i>Bubalus arnee</i>	Nepal (excludes the domesticated form, which is referenced as <i>Bubalus bubalis</i>)
<i>Gazella dorcas</i>	Algeria, Tunisia
<i>Tetracerus quadricornis</i>	Nepal

Cervidae Deer, guemals, muntjacs, pudus

<i>Cervus elaphus barbarus</i>	Algeria, Tunisia
<i>Mazama temama cerasina</i>	Guatemala
<i>Odocoileus virginianus mayensis</i>	Guatemala

CARNIVORA

Canidae Bush dog, foxes, wolves

<i>Canis aureus</i>	India
<i>Vulpes bengalensis</i>	India
<i>Vulpes vulpes griffithi</i>	India
<i>Vulpes vulpes montana</i>	India
<i>Vulpes vulpes pusilla</i>	India

Herpestidae Mongooses

<i>Herpestes edwardsi</i>	India
<i>Herpestes fuscus</i>	India
<i>Herpestes javanicus auropunctatus</i>	India
<i>Herpestes smithii</i>	India
<i>Herpestes urva</i>	India
<i>Herpestes vitticollis</i>	India

Hyanidae Aardwolf

Proteles cristata Botswana

Mustelinae Grisons, honey badger, martens, tayra, weasels

<i>Eira barbara</i>	Honduras
<i>Galictis vittata</i>	Costa Rica
<i>Martes flavigula</i>	India
<i>Martes foina intermedia</i>	India
<i>Martes gwatkinsii</i>	India
<i>Mellivora capensis</i>	Botswana
<i>Mustela altaica</i>	India
<i>Mustela erminea ferghanae</i>	India
<i>Mustela kathiah</i>	India
<i>Mustela sibirica</i>	India

Odobenidae Walrus

Odobenus rosmarus Canada

Procyonidae Coatis, kinkajou, olingos

<i>Bassaricyon gabbii</i>	Costa Rica
<i>Bassariscus sumichrasti</i>	Costa Rica
<i>Nasua narica</i>	Honduras
<i>Nasua nasua solitaria</i>	Uruguay
<i>Potos flavus</i>	Honduras

Viverridae Binturong, civets, lingsangs, otter-civet, palm civets

<i>Arctictis binturong</i>	India
<i>Civettictis civetta</i>	Botswana
<i>Paguma larvata</i>	India
<i>Paradoxurus hermaphroditus</i>	India
<i>Paradoxurus jerdoni</i>	India
<i>Viverra civettina</i>	India
<i>Viverra zibetha</i>	India
<i>Viverricula indica</i>	India

CHIROPTERA

Phyllostomidae Broad-nosed bat

Platyrrhinus lineatus Uruguay

CINGULATA

Dasypodidae **Armadillos**

Cabassous centralis

Costa Rica

Cabassous tatouay

Uruguay

PILOSA

Megalonychidae **Two-toed sloth**

Choloepus hoffmanni

Costa Rica

Myrmecophagidae **American anteaters**

Tamandua mexicana

Guatemala

RODENTIA

Cuniculidae **Paca**

Cuniculus paca

Honduras

Dasypodidae **Agouti**

Dasypodops punctata

Honduras

Erethizontidae **New World porcupines**

Sphiggurus mexicanus

Honduras

Sphiggurus spinosus

Uruguay

Sciuridae **Ground squirrels, tree squirrels**

Marmota caudata

India

Marmota himalayana

India

Sciurus deppei

Costa Rica

CLASS AVES (BIRDS)

ANSERIFORMES

Anatidae **Ducks, geese, swans etc.**

Cairina moschata

Honduras

Dendrocygna autumnalis

Honduras

Dendrocygna bicolor Honduras

CHARADRIIFORMES

Burhinidae **Thick-knee**

Burhinus bistriatus Guatemala

COLUMBIFORMES

Columbidae **Doves, pigeons**

Nesoenas mayeri Mauritius

FALCONIFORMES

Cathartidae **New World Vultures**

Sarcorampus papa Honduras

GALLIFORMES

Cracidae **Chachalacas, curassows, guans**

<i>Crax alberti</i>	Colombia
<i>Crax daubentoni</i>	Colombia
<i>Crax globulosa</i>	Colombia
<i>Crax rubra</i>	Colombia, Costa Rica, Guatemala, Honduras
<i>Ortalis vetula</i>	Guatemala, Honduras
<i>Pauxi pauxi</i>	Colombia
<i>Penelope purpurascens</i>	Honduras
<i>Penelopina nigra</i>	Guatemala

Phasianidae **Grouse, guineafowl, partridges, pheasants, tragopans**

<i>Meleagris ocellata</i>	Guatemala
<i>Tragopan satyra</i>	Nepal

PASSERIFORMES

Cotingidae **Cotingas**

<i>Cephalopterus ornatus</i>	Colombia
<i>Cephalopterus penduliger</i>	Colombia

Muscicapidae **Old World Flycatchers**

<i>Acrocephalus rodericanus</i>	Mauritius
<i>Terpsiphone bourbonensis</i>	Mauritius

PICIFORMES

Capitonidae **Barbet**

<i>Semnornis ramphastinus</i>	Colombia
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Ramphastidae **Toucans**

<i>Bailloniuss bailloni</i>	Argentina
<i>Pteroglossus castanotis</i>	Argentina
<i>Ramphastos dicolorus</i>	Argentina
<i>Selenidera maculirostris</i>	Argentina

CLASS REPTILIA (REPTILES)

SAURIA

Gekkonidae **Geckos**

<i>Hoplodactylus</i> spp.	New Zealand
	New Zealand

SERPENTES

Colubridae **Typical snakes, water snakes, whipsnakes**

<i>Atretium schistosum</i>	India
<i>Cerberus rynchops</i>	India
<i>Xenochrophis piscator</i>	India

Elapidae **Cobras, coral snakes**

<i>Micrurus diastema</i>	Honduras
<i>Micrurus nigrocinctus</i>	Honduras

Viperidae **Vipers**

<i>Crotalus durissus</i>	Honduras
<i>Daboia russelii</i>	India

TESTUDINES

Chelydridae

Snapping turtles

Macrochelys temminckii

United States of America

Emydidae

Box turtles, freshwater turtles

Graptemys spp.

United States of America

Geoemydidae

Boxturtles, freshwater turtles

Mauremys iversoni

China

Mauremys megalocephala

China

Mauremys pritchardi

China

Mauremys reevesii

China

Mauremys sinensis

China

Ocadia glyphistoma

China

Ocadia philippeni

China

Sacalia pseudocellata

China

PHYLUM AMPHIBIA

CLASS AMPHIBIANS

Calyptocephalellidae

Chilean toads

Calyptocephalella gayi

Chile

Cryptobranchidae

Hellbender and giant salamanders

Cryptobranchus alleganiensis

United States of America

Hynobiidae Asiatic salamanders

Hynobius amjiensis

China

CLASS ELASMOBRANCHII

(SHARKS)

CARCHARHINIFORMES

Sphyrnidae Hammerhead sharks

Sphyrna lewini

Costa Rica

LAMNIFORMES

Lamnidae Mackerel sharks

Lamna nasus

(Belgium, Cyprus, Denmark, Estonia, Finland, France, Germany, Greece, Ireland, Italy, Latvia, Lithuania, Malta, Netherlands, Poland, Portugal, Slovenia, Spain, Sweden and United Kingdom of Great Britain and Northern Ireland)
(Until 14 September 2014)

PHYLUM ECHINODERMATA

CLASS HOLOTHUROIDEA (SEA CUCUMBERS)

ASPIDOCHIROTIDA

Stichopodidae

Sea cucumbers

Isostichopus fuscus

Ecuador

PHYLUM ARTHROPODA

CLASS INSECTA (INSECTS)

COLEOPTERA

Lucanidae

Cape stag beetles

Colophon spp.

South Africa

LEPIDOPTERA

Nymphalidae

Brush-footed butterflies

Agrias amydon boliviensis

Plurinational State of Bolivia

Morpho godartii lachaumei

Plurinational State of Bolivia

Prepona praeneste buckleyana

Plurinational State of Bolivia

PHYLUM CNIDARIA

CLASS ANTHOZOA (CORALS, SEA ANEMONES)

GORGONACEAE

Coralliidae

<i>Corallium elatius</i>	China
<i>Corallium japonicum</i>	China
<i>Corallium konjoi</i>	China
<i>Corallium secundum</i>	China

FLORA (PLANTS)

GNETACEAE Gnetums

<i>Gnetum montanum</i> #1	Nepal
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LEGUMINOSAE (Fabaceae) Afrormosia, cristobal, rosewood, sandalwood

<i>Dalbergia darienensis</i> #2 [population of Panama (Panama)]	
<i>Dalbergia retusa</i> #5 (population of Guatemala)	Guatemala
<i>Dipteryx panamensis</i>	Costa Rica, Nicaragua

MAGNOLIACEAE Magnolia

<i>Magnolia liliifera</i> var. <i>obovata</i> #1	Nepal
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MELIACEAE Mahoganies, West Indian Cedar

<i>Cedrela fissilis</i> #5	Plurinational State of Bolivia
<i>Cedrela lilloi</i> #5	Plurinational State of Bolivia
<i>Cedrela odorata</i> #5 (populations of Colombia, Guatemala and Peru)	Brazil and the Plurinational State of Bolivia

PALMAE (Arecaceae) Palms

<i>Lodoicea maldivica</i> #13	Seychelles
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PAPAVERACEAE Poppy

<i>Meconopsis regia</i> #1	Nepal
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PINACEAE	Pine	
<i>Pinus koraiensis</i> #5		Russian Federation
PAPAVERACEAE	Poppy	
<i>Meconopsis regia</i> #1		Nepal
PODOCARPACEAE	Podocarps	
<i>Podocarpus neriifolius</i> #1		Nepal
THROCHODENDRACEAE (Tetracentraceae)	Tetracentron	
<i>Tetracentron sinense</i> #1		Nepal

#1: All parts and derivatives, except:

- a) Seeds, spores and pollen (including pollinia);
- b) Seedling or tissue cultures obtained *in vitro*, in solid or liquid media, transported in sterile containers;
- c) Cut flowers of artificially propagated plants; and
- d) Fruits and parts and derivatives thereof of artificially propagated plants of the genus *Vanilla*.

#2: All parts and derivatives except:

- a) Seeds and pollen; and
- b) Finished products packaged and ready for retail trade.

#3: Whole and sliced roots and parts of roots excluding manufactured parts or derivatives such as powders, pills, extracts, tonics, teas and confectionary.

#4: All parts and derivatives except:

- a) Seeds, (including seedpods of Orchidaceae), spores and pollen (including pollinia). The exemption does not apply to seeds from Cactaceae spp. exported from Mexico, and to seeds from *Beccariophoenix madagascariensis* and *Neodypsis decaryi* exported from Madagascar;
- b) Seedlings or tissue cultures obtained *in vitro*, in solid or liquid media, transported in sterile containers;
- c) Cut flowers of artificially propagated plants;
- d) Fruits and parts and derivatives thereof of naturalized or artificially propagated plants of the genus *Vanilla* (Orchidaceae) and of the family Cactaceae;

- e) Stems, flowers, and parts and derivatives thereof, of naturalized or artificially propagated plants of the genera *Opuntia* subgenus *Opuntia* and *Selenicereus* (Cactaceae);
 - f) Finished products of *Euphorbia antisiphilitica* packaged and ready for retail trade.
- #5: Logs, sawn wood and veneer sheets.
- #6: Logs, sawn wood, veneer sheets and plywood.
- #7: Logs, wood-chips, powder and extracts.
- #8: Underground parts (i.e. roots, rhizomes): whole, parts and powdered.
- #9: All parts and derivatives except those bearing a label “Produced from Hoodia spp. material obtained through controlled harvesting and production under the terms of an agreement with the relevant CITES Management Authority of [Botswana under Agreement No. BW/xxxx][Namibia under Agreement No. NA/xxxx][South Africa under Agreement No. ZA/xxxx].”
- #10: Logs, sawn wood, veneer sheets, including unfinished wood articles used for the fabrication of bows for stringed musical instruments.
- #11: Logs, sawn wood, veneer sheets, plywood, powder and extracts.
- #12: Logs, sawn wood, veneer sheets, plywood and extracts. Finished products containing such extracts as ingredients, including fragrances, are not considered to be covered by this annotation.
- #13: The kernel (also known as ‘endosperm’, ‘pulp’ or ‘copra’) and any derivative thereof.
- #14: All parts and derivatives except:
- a) Seeds and pollen;
 - b) Seedlings or tissue cultures obtained *in vitro*, in solid or liquid media, transported in sterile containers;
 - c) Fruits;
 - d) Leaves;
 - e) Exhausted agarwood powder, including compressed powder in all shapes; and
 - f) Finished products packaged and ready for retail trade, this exemption does not apply to beads, prayer beads and carvings.

FOURTH SCHEDULEss. 16, 20, 24, 29, 30, 34, 37, 49,
57, 81**FEES FOR APPLICATIONS, PERMITS, CERTIFICATES AND
LICENCES**

Permits			
1.	For an Import Permit	-	\$5,000.00
2.	For an Export Permit	-	\$5,000.00
3.	For a Re-Export Certificate	-	\$10,000.00
4.	For a Wildlife Ranch Product Permit	-	\$10,000.00
Certificates			
1.	For a Certificate of Introduction from the Sea	-	\$5,000.00
2.	For a Captive Bred Certificate	-	\$10,000.00
3.	For a Artificial Propagation Certificate	-	\$10,000.00
4.	For a Pre-Act Certificate	-	\$10,000.00
Licence			
1.	For a Holding Premises Licence	-	\$100,000.00 (annually)
2.	Commercial Export Licence	-	\$100,000.00
3.	Commercial Import Licence	-	\$100,000.00 (annually)
4.	Captive Breeding Operation Licence	-	\$50,000.00 (annually)
5.	Artificial Propagation Operation Licence	-	\$50,000.00 (annually)
6.	Wildlife Ranching Operation Licence	-	\$50,000.00 (annually)
Holding Premises			
	Application Fee		\$25,000.00

FIFTH SCHEDULE

ss. 29, 34, 45, 57, 58

FORMS OF LICENCES

FORM A

s. 29

WILDLIFE CONSERVATION AND MANAGEMENT ACT 2016

**APPLICATION FOR PERMIT/CERTIFICATE TO TRADE, IMPORT, EXPORT,
RE-EXPORT OR INTRODUCE FROM THE SEA ANIMALS OR PLANTS
LISTED IN THE FIRST, SECOND OR THIRD SCHEDULE OR ANY OTHER
WILDLIFE**

1. Name of Applicant(s)
(Surname first, if a person)
2. Address of Applicant
(Registered or principal office, if a body corporate)
3. Nationality of Applicant
4. Species scientific & common name of the animal/plant/taxa to be covered
.....
5. Number of animal/plant, quantity (kg.)
6. Type of goods mark (if any)
7. Activity to be authorised
(trading, importing, exporting, re-exporting, introduction from the sea)
8. State whether living, dead or in the wild
9. Description of animal/plant
(include size, sex (if known, type of goods if a derivative)
10. Description of method of transportation, type, size and construction of container
used for transportation of live animal or plant, arrangements for watering, caring
during transportation

-
.....
.....
11. In case of import, name and address of receiver/exporter in foreign country
.....
.....
12. Name of country and place where animal/plant is taken from the wild
.....
.....
13. Statement of purposes and details of activities where the animal or plant is to be imported
.....
14. Brief resume of technical expertise of applicant etc. who will take care of the animal or plant.....
.....
15. Name, address, description, where the animal or plant including diagrams, photographs of facility where maintained.....
.....
.....
.....
16. Description of mortalities in last two years before application or genus of similar animal or family where the plant or animal and steps to avoid such mortalities
.....
.....
.....
.....
.....

17. State documents, sworn affidavits or other evidence showing whether the animal or plant was acquired before commencement of regulations, bred in captivity, artificially propagated or derived therefrom, herbarium, dried specimen etc., exported, re-exported as a non-commercial loan, donation exchange between scientists, scientific institutions.....

.....
.....
.....

18. In case of import, particulars of documents from sending country.

.....
(valid export permit/valid foreign re-export certificate)

19. In case of export/re-export particulars of documents from receiving country

.....
(where application for export permit, re-export certificate)

20. I hereby declare that I shall comply with the laws relating to trading, exporting, re-exporting, importing and introducing from the sea, of animal and plant specimen and articles and agree to give the Commission such information as may be lawfully required by the Commission.

Signature of Applicant.....

Date.....

FORM OF LICENCE

WILDLIFE CONSERVATION AND MANAGEMENT ACT 2016
HOLDING PREMISES LICENCE

A licence is hereby granted to

To hold animals on premises situated at

.....
.....
.....

for a period of

.....

..... for the purpose(s) of *trade, *import,
*export or *re-export.

Licence Number

Dated thisday of..... 20.....

.....

Guyana Wildlife Conservation and Management Commission

*Cross out which does not apply

**NOTICE TO BE DISPLAYED OUTSIDE PREMISES FOR THE KEEPING OF
ANIMALS**

1. The notice shall be on wood or metal, of a size not less than eighteen (18) in width and twelve (12) inches in height, with words in black on a white background, maintained in a legible state.
2. The notice shall be displayed at a height between five (5) and six (6) feet above the floor level on the entrance of the premises, easily visible from the approach to the entrance.
3. The wording on the notice shall be as follows:

“WILDLIFE CONSERVATION AND MANAGEMENT ACT 2016

These premises are licensed for the holding of animals for the purposes of trade, import, export, and re-export.”.

Number.....

**APPLICATION FOR AUTHORISATION TO IMPORT, EXPORT, RE-EXPORT
OR INTRODUCE FROM THE SEA ANIMALS OR PLANTS NOT LISTED IN
THE FIRST, SECOND OR THIRD SCHEDULE OR ANY OTHER WILDLIFE**

1. Name of Applicant(s)
(Surname first, if a person)
2. Address of Applicant
(Registered or principal office, if a body corporate)
3. Nationality of Applicant
4. Species scientific & Common name of the animal/plant/taxa to be covered
.....
5. Number of animal/plant, quantity (kg.)
6. Type of goods mark (if any)
7. Activity to be authorised
(trading, importing, exporting, re-exporting, introduction from the sea)
8. State whether living, dead or in the wild
9. Description of animal/plant
.....
(include size, sex (if known, type of goods if a derivative)
10. Description of method of transportation, type, size and construction of container
used for transportation of live animal or plant, arrangements for watering, caring
during transportation.....
.....
.....

11. In case of import, name and address of receiver or exporter in foreign country

.....
.....

12. Name of country and place where animal/plant is taken from the wild

.....
.....
.....

13. Name, address, description, where the animal or plant including diagrams,
photographs of facility where maintained

.....
.....
.....
.....

14. State documents, sworn affidavits or other evidence showing whether
animal/plant acquired before commencement of regulations, bred in captivity,
artificially propagated or derived therefrom, herbarium, dried specimen etc.,
exported, re-exported as a non-commercial loan, donation exchange between
approved individuals, approved institutions

.....
.....

15. In case of import, particulars of documents from sending country.

.....

(valid export permit/valid foreign re-exportcertificate)

16. In case of export/re-export particulars of documents from receiving country

.....


(where application for export, re-exportcertificate)

17. I hereby declare that I shall comply with the law relating to trading, exporting, re-exporting, importing and introducing from the sea, of animal and plant specimen and articles and agree to give the Commission such information as may be lawfully required by the Commission.

Signature of Applicant.....

Date.....

WILDLIFE CONSERVATION AND MANAGEMENT ACT 2016 PERMIT/CERTIFICATE


3. Importer (name and address)		4. Exporter (name and address and country)		2. Valid until											
3a. Country of import		Signature of the applicant													
5. Special conditions <small>For live animals, this permit or certificate is only valid if the transport conditions conform to the Guidelines for Transport of Live Animals or, in the case of air transport, to the IATA Live Animals Regulations.</small>		6. Name, address, national seal/stamp and country of Management Authority <div style="text-align: center;">  <p>The Wildlife Division Ministry of Natural Resources and the Environment Ganges Street Sophia GUYANA</p> </div>													
5a. Purpose of the transaction (see reverse)		5b. Security Stamp Nr													
7/8. SCIENTIFIC NAME (genus and species) AND COMMON NAME OF ANIMAL OR PLANT		9. Description of specimen, including identifying marks or numbers (age/sex if live)		10. Appendix no. and source (see reverse)											
11. Quantity (Including unit)		11a. Total exported Quota													
12. Country of origin *		12a. Country of last re-export		12b. No. of the operation ** or date of acquisition ***											
12. Country of origin *		12a. Country of last re-export		12b. No. of the operation ** or date of acquisition ***											
12. Country of origin *		12a. Country of last re-export		12b. No. of the operation ** or date of acquisition ***											
12. Country of origin *		12a. Country of last re-export		12b. No. of the operation ** or date of acquisition ***											
* Country in which the specimens were taken from the wild, bred in captivity or artificially propagated (only in case of re-export) ** Only for specimens of Appendix-1 species bred in captivity or artificially propagated for commercial purposes *** For pre-Convention specimens															
13. THIS PERMIT IS ISSUED BY: Wildlife Division															
Place		Date		Security stamp, signature and official seal											
14. EXPORT ENDORSEMENT :		15. Bill of Lading/Air Way-bill Number :													
<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th style="width: 30%;">Block</th> <th style="width: 70%;">Quantity</th> </tr> <tr> <td>A</td> <td></td> </tr> <tr> <td>B</td> <td></td> </tr> <tr> <td>C</td> <td></td> </tr> <tr> <td>D</td> <td></td> </tr> </table>		Block	Quantity	A		B		C		D		Cheddi Jagan International Airport Timehri <div style="display: flex; justify-content: space-between; margin-top: 10px;"> Port of Export Re-export Date Signature Official stamp and title </div>			
Block	Quantity														
A															
B															
C															
D															

PERMIT / CERTIFICATE NO

FORM F

s. 34

**WILDLIFE CONSERVATION AND MANAGEMENT ACT
2016
PERMIT/CERTIFICATE**

2. Importer (name and address)					3. Exporter / Re-exporter (name and address, country)		1. Valid until
Country of import 4. Applicant declares that he/she is aware of the provisions of the Act for the purpose of (re) exporting the animals/goods listed below. 4a. Special Conditions					Signature _____ 5. Name, address stamp and country of Management Authority <div style="text-align: center;">  The Wildlife Division Ministry of Natural Resources and the Environment Ganges Street Sophia Georgetown GUYANA </div>		
6. Scientific Name	7. CommonName	8. *Type of goods	9. Quantity (including unit)	10. Source	11. Total exported / Quota		
A							
B							
C							
D							
E							
F							
G							

12. Export Endorsement :		13. Bill of Lading/Air Way-bill Number :	
BLOCK	QUANTITY	Cheddi Jagan International Airport Timehri <div style="display: flex; justify-content: space-between; margin-top: 20px;"> Port of (Re) Export Date Signature Official stamp and title </div> <p style="font-size: small; margin-top: 10px;">* (Live, stuffed salted etc.)</p>	
A			
B			
C			
D			
E			
F			
G			

SIXTH SCHEDULE

ss. 32, 49, 66, 67, 68, 69, 70, 71

PENALTIES

Paragraph	Prescribed Penalties
A	a fine of not less than seventy thousand dollars nor more than three hundred thousand dollars
B	a fine of not less than two hundred and fifty thousand dollars nor more than five hundred thousand dollars
C	a fine of not less than four hundred thousand dollars nor more than seven hundred and fifty thousand dollars and imprisonment for not more than six months
D	a fine of not less than seven hundred and fifty thousand dollars nor more than two million dollars and imprisonment for not more than three years

**CONSTITUTION, PROCEEDINGS AND RELATED MATTERS
OF THE COMMISSION**

Constitution of the
Commission.

1. (1) The Commission shall consist of –

- (a) the Chairperson who shall be appointed by the Minister, but if no person is so appointed, the Minister shall be the Chairperson of the Commission;
- (b) the Commissioner, employed under section 10;
- (c) a nominee of the Ministry of Finance;
- (d) a nominee of the Ministry of Agriculture;
- (e) a nominee of Leader of the Parliamentary Opposition;
- (f) a nominee of the University of Guyana;
- (g) a nominee of the Private Sector; and
- (h) not more than four other persons appointed by the Minister, one of whom shall be the Secretary.

(2) There shall be a Deputy Chairperson, elected by and from the members of the Commission.

(3) The persons appointed by the Minister and nominated as members of the Commission pursuant to subparagraph (1) shall be persons who are qualified for the appointments and nominations by reason of their experience of, and shown capacity in, matters relating to the functions of the Commission or matters that will be advantageous to the Commission in the performance of its functions.

Gazetting of appointments.

2. The names of the members of the Commission as first constituted and every change in the membership shall be notified in the *Gazette*.

Custody and authentication of the seal of the Commission.

3. (1) The seal of the Commission shall be kept in the custody of the Chairperson or the Secretary and shall be authenticated by the signatures of the Chairperson, the Deputy Chairperson, or the Commissioner and the Secretary, or in any other manner as may be authorised by resolution of the Commission.

(2) Every document purporting to be an instrument under the seal of the Commission shall be received in evidence and deemed, without further proof to be so executed, unless the contrary is proved.

(3) All documents, other than those required to be under seal, made by, and all decisions of, the Commission may be signified under the hand of the Chairperson, the Deputy Chairperson, or the Commissioner and the Secretary.

Meetings of the Commission.

4. (1) The Commission shall meet at such times as may be necessary or expedient.

(2) The Chairperson may at any time summon a special meeting of the Commission.

(3) The Chairperson, or in the Chairperson's absence the Deputy Chairperson, shall preside at all meetings of the Commission, and in the absence of the Chairperson and

the Deputy Chairperson from a meeting of the Commission, the Commissioner shall act as Chairperson at the meeting.

(4) Seven members of the Commission shall constitute a quorum for the transaction of business at a meeting of the Commission.

(5) Minutes in proper form of every meeting of the Commission shall be kept by the Secretary and shall be confirmed by the Chairperson, the Deputy Chairperson, or the Commissioner, as the case may be, as soon as practicable after the meeting at a subsequent meeting.

(6) The Commission may co-opt one or more persons to attend any meeting of the Commission at which the Commission is dealing with a particular matter, for the purpose of assisting or advising the Commission, but such co-opted person shall not be entitled to vote at the meeting.

(7) Subject to the provisions of this Act, the Commission may regulate its own proceedings.

Committees and
power to delegate
functions.

5. (1) The Commission may appoint committees as it may deem fit to examine and report to it on any matter arising out of or in connection with any of its functions.

(2) Any such committee shall consist of at least two members of the Commission together with such other persons, whether members of the Commission or not,

whose assistance or advice the Commission may desire.

(3) Where persons, not being members of the Commission, are members of a committee appointed under this paragraph, the Commission shall pay to each of such persons in respect of his membership of such committee such remuneration and allowances, if any, as the Minister may determine and such sums shall properly be payable out of the funds and resources of the Commission.

(4) The Commission may reject the report of any such committee or adopt it whether wholly or with modifications, additions or adaptations as the Commission may think fit.

(5) Subject to the provisions of this Act the Commission may delegate to any committee or member or officer of the Commission the authority to carry out on its behalf such functions as the Commission may determine.

Disclosure of
interest by
members of the
Commission.

6. (1) Any member of the Commission whose interest is likely to be affected, whether directly or indirectly, by a decision of the Commission on any matter whatsoever, shall disclose the nature of the interest at the first meeting of the Commission at which the member is present after the relevant fact have come to the member's knowledge.

(2) A disclosure under subsection (1) shall be recorded in the minutes of the meeting of the Commission and, after the disclosure, the member of the Commission making the

disclosure shall, unless the Commission otherwise directs, not be present at or take part in the deliberation or vote at any meeting during the time when the matter is being decided upon by the Commission.

(3) For the purposes of this paragraph, where the interest of parents, spouse, children, siblings, children and spouses of siblings of any member of the Commission is likely to be affected directly or indirectly by a decision of the Commission on any matter, such interest shall be deemed to be the interest of that member.

(4) The Minister may revoke the appointment of any member of the Commission who contravenes or fails to comply with the provisions of this paragraph.

Protection of
members of the
Commission.

7. (1) No member of the Commission is liable for any act done or omitted to be done by the Commission in good faith in the course of carrying out its functions.

(2) Where a member of the Commission is exempt from liability by reason only of the provisions of this paragraph, the Commission is liable to the extent that it would be if the member were a servant or agent of the Commission.

Remuneration of
members of the
Commission.

8. The Commission shall pay to each of its members (other than the Minister and the Commissioner) in respect of the member's office such remuneration and allowances, if any, as the Minister may determine, and to the Chairperson (if the Chairperson is not the Minister) and the Deputy Chairperson, in respect of their offices such

remuneration and allowances, if any (in addition to any remuneration and allowances, to which they may be entitled in respect of their offices as members) as may be so determined.

EXPLANATORY MEMORANDUM

BACKGROUND

Guyana acceded to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) done at Washington, District of Columbia in the United States of America on the 27th May 1977 (the Convention); the Convention came into force on the 25th August, 1977.

In 1999 the Species Protection Regulations, made under the Environmental Protection Act, Cap. 20:05 were passed so as to address concerns regarding Guyana's inability to implement and enforce the Convention because of its failure to adopt the necessary legislation.

Pursuant to the Conference of Parties (COP) Resolution Conf. 8.4 National Laws for Implementation of the Convention, the 1999 Guyana Species Protection Regulations were categorised as generally not meeting all requirements for the implementation of the Convention.

In 2013 the Wildlife Management and Conservation Regulations were enacted under the Environmental Protection Act, Cap. 20:05. A further review determined that a separate Act, and not just Regulations, was needed:

- (1) to provide for the protection, conservation, management, sustainable use and the internal and external trade of Guyana's wildlife, both flora and fauna; and
- (2) to establish the requisite framework for the creation of an appropriate and Convention compliant legal and regulatory mechanisms in Guyana.

KEY OBJECTIVES

The key objectives of the Act are:

- (a) to create a supportive mechanism cognisant of the national goals for wildlife protection, conservation, management and sustainable use;

- (b) to create a national framework and mechanisms governing the local and international trade in all species of Guyana's wildlife;
- (c) to implement the primary provisions of the Convention (this is required by Article VIII of the Convention); and
- (d) to provide a framework of licensing and decisions which support core principles of transparency, certainty, natural justice and fairness.

PART I PRELIMINARY

This Part contains the citation of the Act. Provision is made for the commencement of the Act by the Minister through an order. The definitions contained in clause 2 are intended to be both nationally and Convention relevant.

PART II SCOPE

This Part provides for the scope of the Act and the categories of wildlife (flora and fauna) to which the Act's mechanism is applicable. It is also intended to bring Convention species and any other wildlife within the purview of the Act. Clause 3 identifies the categories of wildlife to which the Act relates to be as set out in the First, Second and Third Schedules as well as any other wildlife. The categories identified in the First, Second and Third Schedules further implement Articles II, III, IV and V of the Convention. Clause 3(2) provides the procedure by which the Schedules may be amended.

PART III ADMINISTRATION

Clause 4 provides for the establishment and incorporation of the Guyana Wildlife Conservation and Management Commission. In the context of the Convention, the Guyana Wildlife Conservation and Management Commission is the CITES Management Authority of Guyana.

Clause 5 provides for the Minister to give directions to the Commission. Clause 6 provides for the Commission's functions and powers of delegation to any institution, person or body with the written consent of the Minister. The Commission's functions include:

- (a) taking such steps as are necessary for-
 - the protection, conservation, management and sustainable use of wildlife;
 - the management and conservation of wildlife against over-exploitation through importation, exportation, re-exportation and introduction from the sea;
- (b) advising the Minister on matters relating to –
 - the protection, conservation, management, and sustainable use of species of wildlife;
 - the importation, exportation, re-exportation and introduction from the sea of species of wildlife;
 - the protection of endangered or threatened ecosystems and habitats of species of wildlife;
 - areas for dedication to wildlife conservation and the cancellation of such dedications;
 - the implementation and enforcement of the Convention
- (c) granting, amending and cancelling licences, permits and certificates in respect of activities related to species of wildlife;
- (d) monitoring and enforcing licences, permits and certificate compliance;
- (e) determining the annual 'closed season' timeframe for the hunting, trapping and trade of species of wild fauna;
- (f) facilitating, promoting and supporting mechanisms whereby local Indigenous villages may participate in the effective protection, conservation, management and sustainable use of wildlife on their titles lands.
- (g) establishing policies and procedures for the protection, conservation, management and sustainable use of wildlife by and for the benefit of all citizens of Guyana and in particular the communities and villages living in proximity to wildlife;

- (h) causing to be established facilities for the quarantening of imported species of fauna and flora including those species imported for the purpose of re-exportation;
- (i) carrying out such other duties, functions and powers as may be prescribed or assigned to it under any other law and performing such other functions as may be assigned to the Commission by the Minister.

Clauses 8 and 9 make provision for the establishment of the Wildlife Scientific Committee, as well as its functions and duties. The functions include:

- (a) advising the Commission on matters relating to the importation, exportation, re-exportation and introduction from the sea of species specified in the Schedules of the Act; and
- (b) advising the Commission of the measures, including the establishment of quotas, to limit the grant of export permits when the population status of a species so requires.

Clause 10 makes provision for the employment of staff of the Commission as well as for pensions, gratuities and other like benefits. Clause 11 provides for the delegation of the Minister's powers to the Commission, save and except the power to make subsidiary legislation under the Act. Clause 12 establishes a Wildlife General Fund to fund the operations of the Commission and Clause 13 sets out the resources of the Fund.

Clause 14 provides for the financial year, accounts and audit of the Commission. The Auditor General or any appointed auditor is responsible for the audit of the accounts of the Commission. The Minister also has the power to appoint an auditor at any time to audit the accounts of the Commission. Clause 15 requires the Commission to submit a report on the activities of the Commission to the Minister. The report would include the report of the Auditor General or that of the auditor and is to be laid before the National Assembly.

PART IV

CAPTIVE BREEDING OF ANIMALS

Clauses 16 to 19 provide for the Captive Breeding Operating Licence and establish the mechanism governing breeding of animals in captivity. This mechanism incorporates the requirements for dealing with animals bred in captivity set out in Article VII (4) and (5) of the Convention. The Clauses also provide for captive breeding facilities and their licensing as well as the Certification for an animal specimen bred in captivity to be exported.

PART V ARTIFICIAL PROPAGATION OF PLANTS

This Part makes provision for the artificial propagation of live plants and also incorporates the requirements for dealing with plants artificially propagated set out in Article VII (4) and (5) of the Convention. Clauses 20 and 21 provide for a Licence to operate an artificial propagation facility and a Certificate to export any artificially propagated plant specimen. By Clause 22, every progeny of a plant specimen which has been artificially propagated for scientific research or scientific exchange shall remain the property of the State, unless otherwise agreed to in writing by the Minister. Clause 23 provides for the cancellation of the Artificial Propagation Operation Licence.

PART VI WILDLIFE RANCHING

This Part seeks to regulate wildlife ranching activities and incorporates the certification provision for animals bred in captivity set out in Article VII (5) of the Convention. Clause 24 requires of anyone who desires to operate a wildlife ranching facility to apply to the Commission for a Wildlife Ranching Operation Licence. In relation to the export of an animal which is the product of a Wildlife Ranching Operation, a Wildlife Ranch Product Permit of the Commission stating that the animal was a product from such a facility is required under clause 25.

PART VII IMPORTATION, EXPORTATION, RE-EXPORTATION AND INTRODUCTION FROM THE SEA

This Part provides for the requirement of an Import Permit, Export Permit, a Re-Export Certificate and a Certificate for the Introduction from the Sea, to import, export, re-export and introduce from the sea, any specimen of a species of wildlife. Clauses 29 and 30 provide the application procedure for the various permits and certificate. Provision is made for the necessary documentation and information regarding the specific permit and certificate related activity contemplated.

Clause 32 creates specific offences and provides the penalties relating to activities of import, export, re-export and introduction from the sea without a permit or certificate as the case may be. Clause 34 provides the basis and considerations which are taken into account in the grant of the permits and certificates under this Part. Clauses 35 and 36 provide the periods of validity of the permits and certificates as well as the grounds on which an application for a permit or certificate may be refused.

Clause 37 provides for the reissue of a permit or certificate upon application and payment of the prescribed fee. Clause 38 prohibits the issue of a permit or certificate having retrospective effect. An application for modification of a permit or certificate may be made under clause 39. Under clause 40, a permit or certificate may be suspended by the Commission.

Clause 41 provides for the cancellation of a permit or certificate on various grounds including the breach of a condition subject to which the permit was granted, contravention of any provision of the Act and giving false information in support of the permit or certificate.

Clause 42 prohibits the payment of compensation in specified circumstances on the cancellation of a permit or certificate. Clause 43 provides for the non-transferability of a permit or certificate. Clause 44 provides for unused and expired permits to be returned to the Commission within fourteen days of the expiration of the permit.

Clause 45 provides that a person must have the written authorisation of the Commission before he can export, import, re-export or introduce from the sea, wildlife not listed within the scope of this Act.

Clause 46 makes provision regarding specimens brought into Guyana for the purpose of transshipment to another state or as part of the stores of aircrafts or ships in keeping with the intent and provisions contained in Article VII of the Convention.

Clause 47 provides that specimens brought into Guyana which are subject to quarantine will not be taken to have been imported unless and until they are released from quarantine. On release from quarantine they shall be subject to the provisions of this Act.

Clause 48 provides for the markings of specimen being imported or exported and implements Article VI (7) of the Convention.

PART VIII COMMERCIAL IMPORTATION AND EXPORTATION OF WILDLIFE

Clause 49 makes detailed provisions for the grant of Commercial Import and Export Licences which are valid for a period not to exceed one year. In clause 50 provisions are made for the cancellation of such licences and the grounds for their cancellation.

Clause 51 seeks to set out the basis and manner of calculation of the amount charged and levied for the export of specimens from Guyana.

PART IX TRANSPORTATION OF WILDLIFE

Clause 52 provides that live animals or plants to be imported, exported or re-exported by land, sea or air, must be prepared for transportation and transported in accordance with the IATA Regulations. Failing to do so is an offence.

PART X LICENSING OF HOLDING PREMISES

Clause 53 requires holders of Commercial Import and Export Licences to keep wildlife in holding premises licensed by the Commission. Clause 54 provides the application process for holding premises to be licensed. Clause 55 provides that the provisions of clause 54 are applicable to premises which were being operated prior to the passage of Act.

Clause 56 provides for the inspection of premises prior to the grant of an application. The process includes the preparation and consideration of a report based on the inspection.

Clause 57 provides for the grant of licences as well as matters which the Commission will consider in the process of granting a licence for holding premises. These include: compliance with applicable laws, reports of the inspection and other information submitted in support of the application. Clause 58 requires the owner of licensed premises to display the licence issued by the Commission.

Licences granted, cancelled or varied are published in the *Gazette* in accordance with the provisions of Clause 59. Clause 60 makes provision for a licence to be varied or cancelled by the Commission on various grounds including where an owner or occupier is convicted of an offence under the Act. Clause 61 provides a mechanism for notice in writing, a reasonable opportunity to make representations and communication of the decision on conclusion of the various steps, where the Commission is considering cancellation of a licence.

PART XI

APPROVED INSTITUTIONS AND PERSONS

Clause 62 makes provision for declaring institutions and individuals as ‘approved’ with regard to activities relating to specified specimens or species for the purpose of permitting non-commercial loans, donations or exchanges.

Clause 63 makes provisions excluding the application of Parts IV, V, VI and VII of the Act to non-commercial loans, donations and exchanges between approved institutions.

Clause 63 is intended to give effect to the provisions contained in Article VII Section 6 of the Convention and is applicable to particular categories of specimens.

PART XII KEEPING OF RECORDS

This part deals with the keeping of records and implements the provisions of Article VIII (6) and (7) of the Convention. Clause 64 requires the holder of a licence, permit or certificate to keep a Wildlife Register and Clause 65 requires the Commission to keep records of various aspects of its operations.

PART XIII OFFENCES AND PENALTIES

Clause 66 sets out the penalties applicable for the breach of certain provisions of the Act. Potential liability extends to a person who commits, aids, abets, counsels, causes or procures the commission of an offence under the Act. Clause 67 makes it an offence to provide false or misleading information in the various processes of the Commission and other activities regulated by the Act.

Unlawful trade and the carrying out of certain activities without authorisation are offences under clause 68. Clause 69 creates an offence to possess, control, offer or expose for sale or display to the public any specimen to which the Act relates without authorisation from the Commission. Clause 69(2) makes provisions for a defence to this particular offence.

Under clause 70 it is an offence to threaten, assault or obstruct an authorised person acting in furtherance of his duties, under the Act. Failing to keep a Wildlife Register is an offence by virtue of the provisions of clause 71.

Clause 72 makes provision for the revocation of licences by the Commission. Clause 72 further provides for the opportunity to be heard and, where the licence is revoked, provides a five year prohibition from applying for a licence of the kind revoked.

PART XIV ENFORCEMENT

Clause 73 vests in the Commission the power to enforce the provisions of the Act and makes it the duty of all public authorities to cooperate fully with the Commission in enforcing the provisions of the Act.

The Commission shall monitor the use of an Import Permit, Export Permit, a Re-Export Certificate and a Certificate for Introduction from the Sea by virtue of clause 74.

Clause 75 sets out the manner in which a body corporate would be held liable for offences committed under the provisions of the Act. Clause 76 provides the circumstances under which the possession of wildlife would constitute an offence under the Act.

Provisions regarding the entry onto premises by persons executing powers under the Act are contained in clause 77. On entry the person is permitted to inspect books, documents and other records.

Clause 78 sets out the powers of authorised persons to carry out seizures pursuant to the Act. A procedure for forfeiture of specimens to the State is contained in clause 79. The forfeiture occurs on conviction of an offence against the Act. Clause 79 further makes provision regarding the manner of dealing with forfeited wildlife. These will include return to the wild, donation to an approved institution or person and return to its country of origin.

Clause 80 makes provisions for all fees, charges and sums collected under the Act to be paid to the Commission.

PART XV MISCELLANEOUS

Clause 81 provides for the Commission to waive the fees set out in the Fourth Schedule, with the written consent of the Minister, for such purpose or purposes as to give full effect to the provisions of this Act.

Under Clause 82 provision is made for the grant of a Pre-Act Certificate permitting the export or re-export of specimens acquired prior to the coming into force of the Act.

Clause 83 makes provision for the Minister to make regulations to give effect to the provisions of the Act. The regulations include but are not limited to the hunting, trapping, trade, protection, conservation, management and sustainable use of wildlife, transportation of wildlife, exemptions and specific procedures for wildlife, establishment and operation of zoos, the establishment and operation of wildlife rescue centres, the establishment, management and operation of wildlife production systems, compliance and enforcement, management of hazardous areas affecting wildlife and measures to enhance community participation in the protection, conservation, management and sustainable use of wildlife.

Clause 84 makes provision for the repeal of the Wild Birds Protection Act as well as the revocation of the Species Protection Regulations 1999 and the Wildlife Management and Conservation Regulations 2013 made under the Environmental Protection Act.

Clause 85 provides that the Act is not in derogation of other laws including the Customs Act, Fisheries Act, Plant Protection Act and Animals (Movement and Disease Prevention) Act.

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Hon. Raphael G.C. Trotman, M.P.
Minister of Natural Resources