

Trade In Endangered Species Act 1989 018  
Commenced: 1 Jun 1989

An Act to further the protection and conservation of endangered species of wild fauna and flora by regulating the export and import of such species and any product derived from those species

BE IT ENACTED by the Parliament of New Zealand as follows:

1. Short Title and commencement---(1) This Act may be cited as the Trade in Endangered Species Act 1989.

(2) This Act shall come into force on the 1st day of June 1989.

2. Object of Act---The object of this Act is to enable New Zealand to fulfil its obligations under the Convention on International Trade in Endangered Species of Wild Fauna and Flora and to promote the management, conservation, and protection of endangered, threatened, and exploited species to further enhance the survival of those species.

3. Interpretation---(1) In this Act, unless the context otherwise requires,---

“Aerodrome” means any defined area of land or water intended or designed to be used either wholly or partly for the landing, departure, movement, and servicing of aircraft, and includes any buildings, installations, and equipment on or adjacent to any such area used in connection with the aerodrome or its administration:

“Aircraft” means any machine that can derive support in the atmosphere from the reaction of the air:

“Animal” means any member of the animal kingdom, including without limitation any mammal, fish, bird, amphibian, reptile, mollusc, arthropod, or other invertebrate, but does not include human beings:

“Convention” means the Convention on International Trade in Endangered Species of Wild Fauna and Flora signed at Washington, D.C., on the 3rd day of March 1973:

“Cruel treatment”, in relation to any animal, means the infliction upon the animal of pain or suffering that in its kind or degree, or in its object, or in the circumstances in which it is inflicted, is unreasonable or unnecessary:

“Department” means the Department of Conservation:

“Director-General” means the Director-General of Conservation:

“Dwellinghouse” means any building or part of a building that is suitable for residential accommodation of any kind; and includes every garage, shed, and other building used in connection therewith, but does not include the land appurtenant to a dwellinghouse:

“Endangered species” means any species endangered by trade, being the species specified in the First Schedule to this Act:

“Exploited species” means any species exploited by trade, being

the species specified in the Third Schedule to this Act:

- “Export” means the shipment of any specimen in any vehicle to a country outside New Zealand; but does not include the re-export of any specimen or the shipment in transit of any specimen outside New Zealand:
- “Import” means the shipment of any specimen in any vehicle into the territorial limits of New Zealand; but does not include the introduction from the sea of any specimen or the shipment in transit of any specimen into the territorial limits of New Zealand:
- “Introduce from the sea” means introduce into New Zealand a specimen from any marine environment not under the jurisdiction of any country:
- “Management authority” means,---
  - (a) In relation to New Zealand, the Director-General; and
  - (b) In relation to any other country, the management authority appointed by that country for the purposes of the Convention:
- “Minister” means the Minister of Conservation:
- “Officer” means an Endangered Species Officer declared or appointed as such under section 35 of this Act:
- “Personal or household effect” means any article of household or personal use or ornament:
- “Plant” means any angiosperm, gymnosperm, fern, or fern ally; and includes any moss, liverwort, alga, including cyanophyte, lichen, fungus, or related organism:
- “Port” means any defined area of land and water intended or designed to be used either wholly or partly for the berthing, departure, movement, and servicing of ships; and includes any buildings, installations, and equipment on or adjacent to any such area used in connection with the port or its administration:
- “Re-export” means the export of any specimen that has previously been imported, whether or not in the same form as at the time of its importation:
- “Scientific authority” means a scientific authority specified in section 7 of this Act:
- “Ship” means any kind of vessel used in navigation, not propelled by oars only:
- “Species” means any species, sub-species, variety, form, or geographically separate population thereof:
- “Specimen” means---
  - (a) Any animal or plant, whether alive or dead; or
  - (b) Any recognisable part or derivative thereof:
- “Threatened species” means any species threatened by trade, being the species specified in the Second Schedule to this Act:
- “Trade” means export, import, re-export, or introduce from the sea:
- “Vehicle” means any means of transport, whether or not self-propelled, that may travel by land, sea, or air; and includes any aircraft or ship.

- (2) Every specimen of an endangered species,---
  - (a) In the case of an animal, bred in captivity; or
  - (b) In the case of a plant, artificially propagated---

shall, for the purposes of this Act, be deemed a specimen of a threatened species.

(3) Any reference to the appropriate management or scientific authority shall mean the management or scientific authority determined by the Director-General to have statutory responsibility for or the scientific competence to comment on the species under consideration.

(4) Any reference to the relevant authority of a country shall be read as a reference,---

- (a) Where the country is a party to the Convention, to the appropriate management authority of that country; or
- (b) Where the country is not a party to the Convention, to the competent authorities of that country within the meaning of Article X of the Convention.

4. Act to bind the Crown---This Act shall bind the Crown.

5. No derogation from other enactments---The provisions of this Act are in addition to and not in substitution for the provisions of any other Acts in relation to the export or import of, or trade in, any goods, and do not affect the exercise of any power in those Acts in relation to any item of goods.

#### Administration

6. Administration of Act---Subject to the control of the Minister, the Director-General shall be responsible for the general administration of this Act.

7. Scientific authorities---(1) For the purposes of this Act the Minister shall appoint a committee, to be known as the Scientific Authorities Committee, which shall consist of representatives of---

- (a) The Department of Conservation;
- (b) The Department of Scientific and Industrial Research;
- (c) The Ministry of Agriculture and Fisheries;
- (d) The Ministry of Forestry;
- (e) Such person or body that the Minister determines,---

and shall be a scientific authority for the purposes of this Act.

(2) The Scientific Authorities Committee may co-opt additional members and may delegate its function as a scientific authority to any subcommittee consisting of one or more members of the Committee, including co-opted members.

(3) Subject to this Act, the Committee may regulate its procedure in such manner as it thinks fit.

8. Minister's general powers---In addition to any other powers in this Act, the Minister shall have the following powers:

- (a) To conduct research and investigations into and surveys of species in New Zealand---
  - (i) That are, or are likely to become, threatened with extinction; or

- (ii) The existence of which is likely to be affected,---  
by trade in specimens of those species:
- (b) To disseminate information relating to the import and export of  
endangered, threatened, and exploited species.

PART I  
TRADE IN ENDANGERED, THREATENED, AND EXPLOITED SPECIES

9. Trade in endangered, threatened, or exploited species---Subject to Part II of this Act, no person shall trade in any specimen of an endangered, threatened, or exploited species into or from New Zealand, except pursuant to the appropriate permit or certificate granted under this Part of this Act.

10. Application for permit or certificate---(1) Every person who proposes to trade in any specimen of an endangered, threatened, or exploited species shall apply in writing to the Director-General for the appropriate permit or certificate that, if granted, would authorise that trade.

- (2) Every application shall specify---
  - (a) The full name and address of the applicant;
  - (b) The type of trade to which the application relates;
  - (c) The species and the number of specimens of that species to be traded;
  - (d) The country to or from which the specimens are to be conveyed.

(3) Except as the Director-General may decide, a separate application shall be required for each consignment of specimens of an endangered, threatened, or exploited species.

(4) No person shall make an application under this section to trade in any specimen of an endangered, threatened, or exploited species where trade in that specimen is subject to controls under any other Act or regulations, unless authorisation in respect of such trade has first been obtained under that Act or those regulations.

(5) Every applicant for a permit or certificate shall furnish to the Director-General, in addition to the particulars required under subsection (2) of this section, such further information as the Director-General may require.

(6) Every applicant for a permit or certificate shall pay the prescribed fee.

11. Grant of permits and certificates---(1) Every permit or certificate granted under sections 13 to 24 of this Act shall relate to a specific application.

(2) The Director-General may, at the Director-General's discretion, having regard to sections 13 to 24 of this Act,---

- (a) Grant such permit or certificate in respect of all or any of the specimens included in any application; or
- (b) Decline to grant any such application.

(3) Where the Director-General is of the opinion that a permit or certificate should be declined or should be issued subject to conditions, the Director-General shall inform the applicant accordingly, giving the grounds on which the opinion is based, and invite the applicant to make submissions on the matter before the application is formally dealt with.

(4) The Director-General may grant a permit or certificate either unconditionally or subject to such conditions as the Director-General may specify.

(5) Every such permit or certificate shall be in the form issued by the Department.

(6) Every such permit or certificate may be revoked or varied at any time by the Director-General in any case where the Director-General is satisfied that the conditions in the permit or certificate have not been complied with, or can only be met by varying the terms of the permit or certificate.

(7) Any person granted a permit or certificate may at any time surrender it by forwarding a written note to that effect, together with the permit or certificate, to the Director-General.

12. Appeals to District Court on question of law---(1) Any applicant for a permit or certificate who is dissatisfied with any decision of the Director-General under section 11 of this Act on a question of law may, within one month after notice of that decision has been received by the applicant, appeal to the District Court against that decision.

(2) Every appeal under this section shall be heard and determined in accordance with rules of Court and this section.

(3) The Court shall, as soon as practicable, hear the appeal, and may confirm, reverse, or modify the decision of the Director-General, or may refer the matter back to the Director-General in accordance with rules of Court, and may give any decision that the Director-General could have given in respect of the matter.

(4) Nothing in this section shall give the Court power to review any part of the Director-General's decision other than the part against which the appellant has appealed.

(5) Subject to any order of the Court, every decision of the Director-General against which an appeal is lodged shall continue in force and have effect according to its tenor pending the determination of the appeal.

(6) On any appeal under this section, the Court may make an order for the payment by the Director-General, or by the appellant, of the costs incurred in respect of the appeal by the other party to the appeal.

#### Authority to Trade in Endangered Species

13. Permit to export endangered species---The Director-General may,

after consultation with the appropriate other management authorities and scientific authorities, grant a permit to export any specimen of an endangered species to an applicant, if those authorities are satisfied that---

- (a) The export of that specimen is not detrimental to the survival of that species; and
- (b) That specimen was not obtained in contravention of any Act; and
- (c) That specimen is to be prepared and shipped so that the risk of---
  - (i) Injury to the specimen; and
  - (ii) Adverse effect on the health of the specimen; and
  - (iii) In the case of an animal, cruel treatment of the specimen,---  
is minimised; and
- (d) Permission to import that specimen has been granted by the relevant authority of the country of import.

14. Permit to import endangered species---The Director-General may, after consultation with the appropriate other management authorities and scientific authorities, grant a permit to import any specimen of an endangered species to an applicant, if those authorities are satisfied that---

- (a) The import of that specimen is for purposes that are not detrimental to the survival of that species; and
- (b) The proposed recipient of that specimen is suitably equipped to house and care for it; and
- (c) That specimen is not to be used primarily for commercial purposes; and
- (d) Permission to export or re-export that specimen has been granted by the relevant authority of the country of export or re-export.

15. Certificate to re-export endangered species---The Director-General may, after consultation with the appropriate other management authorities grant a certificate to re-export any specimen of an endangered species to an applicant, if those authorities are satisfied that,---

- (a) In the case of that specimen being imported---
  - (i) Before the commencement of this Act, that specimen was not imported in contravention of any Act; or
  - (ii) After the commencement of this Act, that specimen was imported in accordance with this Act; and
- (b) That specimen is to be prepared and shipped so that the risk of---
  - (i) Injury to the specimen; and
  - (ii) Adverse effect on the health of the specimen; and
  - (iii) In the case of an animal, cruel treatment of the specimen---  
is minimised; and
- (c) Permission to import that specimen has been granted by the relevant authority of the country of import.

16. Certificate to introduce from the sea endangered species---The Director-General may, after consultation with the appropriate other management authorities and scientific authorities, grant a certificate to introduce into New Zealand from the sea any specimen of an endangered species to an applicant, if those authorities are satisfied that---

- (a) The introduction of that specimen is not detrimental to the

- survival of that species; and
- (b) That specimen is to be handled so that the risk of---
  - (i) Injury to the specimen; and
  - (ii) Adverse effect on the health of the specimen; and
  - (iii) In the case of an animal, cruel treatment of the specimen, ---
 is minimised; and
- (c) The proposed recipient of that specimen is suitably equipped to house and care for it; and
- (d) That specimen is not to be used primarily for commercial purposes; and
- (e) That specimen was not obtained in contravention of any Act.

#### Authority to Trade in Threatened Species

17. Permit to export threatened species---The Director-General may, after consultation with the appropriate other management authorities and scientific authorities, grant a permit to export any specimen of a threatened species to an applicant, if those authorities are satisfied that---

- (a) The export of that specimen is not detrimental to the survival of that species; and
- (b) That specimen was not obtained in contravention of any Act; and
- (c) That specimen will be prepared and shipped so that the risk of---
  - (i) Injury to the specimen; and
  - (ii) Adverse effect on the health of the specimen; and
  - (iii) In the case of an animal, cruel treatment of the specimen,---
 is minimised.

18. Permit to import threatened species---(1) Where an importer has been granted a permit to export or a certificate to re-export a specimen of the threatened species from the relevant authority of the country of export, no permit under this Act is required to import that specimen.

(2) Where a permit to export or a certificate to re-export a specimen of a threatened species is not required by the relevant authority of the country of export, the Director-General may, in the Director-General's discretion, after consultation with the appropriate other management authorities and scientific authorities, grant a permit to import that specimen subject to such conditions as the Director-General thinks fit to impose.

19. Certificate to re-export threatened species---The Director-General may, after consultation with the appropriate other management authorities and scientific authorities, grant a certificate to re-export any specimen of a threatened species to an applicant, if those authorities are satisfied that,---

- (a) In the case of that specimen being imported,---
  - (i) Before the commencement of this Act, that specimen was not imported in contravention of any Act; or
  - (ii) After the commencement of this Act, that specimen was imported in accordance with this Act; and
- (b) That specimen will be prepared and shipped so that the risk of---
  - (i) Injury to the specimen; and

- (ii) Adverse effect on the health of the specimen; and
- (iii) In the case of an animal, cruel treatment of the specimen,---  
is minimised.

20. Certificate to introduce from the sea threatened species---The Director-General may, after consultation with the appropriate other management authorities and scientific authorities, grant a certificate to introduce from the sea any specimen of a threatened species to an applicant, if those authorities are satisfied that---

- (a) The introduction of that specimen is not detrimental to the survival of that species; and
- (b) That specimen is to be handled so that the risk of---
  - (i) Injury to the specimen; and
  - (ii) Adverse effect on the health of the specimen; and
  - (iii) In the case of an animal, cruel treatment of the specimen,---  
is minimised; and
- (c) That specimen was not obtained in contravention of any Act.

#### Authority to Trade in Exploited Species

21. Permit to export exploited species---(1) Where an application relates to any exploited species specified in any Order in Council made pursuant to subsection (2) of this section, the Director-General may, after consultation with the appropriate other management authorities and scientific authorities, grant a permit to export any specimen of that exploited species to the applicant, if those authorities are satisfied that---

- (a) That specimen was not obtained in contravention of any Act; and
- (b) That specimen is to be prepared and shipped so that the risk of---
  - (i) Injury to the specimen; and
  - (ii) Adverse effect on the health of the specimen; and
  - (iii) In the case of an animal, cruel treatment of the specimen---

is minimised.

(2) The Governor-General may, from time to time, by Order in Council, specify any exploited species that have been included in Appendix III to the Convention at the request of the New Zealand Government.

(3) In the case of any exploited species to which subsection (1) of this section does not apply, the Director-General may, after consultation with the appropriate management and scientific authorities, grant a certificate of origin in respect of any specimen of that exploited species to an applicant.

22. Permit to import exploited species---(1) Where an importer has been granted a permit to export or a certificate to re-export a specimen of an exploited species from the relevant authority of the country of export, no permit under this Act is required to import that specimen.

(2) Where a permit to export or a certificate to re-export a specimen of an exploited species is not required by the relevant authority of the

country of export, the Director-General may, in the Director-General's discretion, after consultation with the appropriate other management authorities and scientific authorities, grant a permit to import that specimen subject to such conditions as the Director-General thinks fit to impose.

23. Certificate to re-export exploited species---The Director-General may, after consultation with the appropriate other management authorities and scientific authorities, grant a certificate to re-export any specimen of an exploited species to an applicant.

24. Certificate to introduce from the sea exploited species---The Director-General may, after consultation with the appropriate other management authorities and scientific authorities, grant a certificate to introduce from the sea any specimen of an exploited species to an applicant.

#### Permits and Certificates

25. Effect of permits and certificates---(1) Except as the Director-General may determine, a permit or certificate shall authorise the holder to undertake on one occasion the type of trade to which the permit or certificate relates in only the specimen or specimens of endangered, threatened, or exploited species specified in that permit or certificate.

(2) Every permit or certificate granted under any of sections 13 to 24 of this Act shall come into force on the date on which it was granted.

(3) Notwithstanding subsection (2) of this section, every permit or certificate shall remain in force for a period of 6 months, or such lesser period as may be specified, unless it is sooner revoked or surrendered.

(4) A permit or certificate shall be personal to the holder, and shall not be transferable to or vest by operation of law in any person other than the holder.

26. Permit or certificate to be produced---For the purposes of this Act, where the holder of a permit or certificate undertakes the trade in accordance with that permit or certificate, the holder shall---

- (a) Before, in the case of exporting or re-exporting; or
- (b) Before or at the time of importation or introduction, in the case of importing or introducing from the sea---

produce the permit or certificate, or cause the permit or certificate to be produced, to an Endangered Species Officer, being an officer of Customs or, if no officer of Customs is available, to any other Endangered Species Officer.

27. Control of arrivals from overseas---(1) Every such person shall, on arriving in New Zealand, permit an officer of the Customs or any other Endangered Species Officer to inspect and examine any specimen of an endangered, threatened, or exploited species in that person's possession as part of that person's personal effects or baggage, and

shall afford to that officer all reasonable facilities and assistance in carrying out any such inspection and examination, and shall produce any permit or certificate granted under this Part or Part II of this Act in respect of that specimen.

(2) Subject to section 30 of this Act, where any person is found to be in possession of any specimen of an endangered, threatened, or exploited species, or a specimen that an Endangered Species Officer has reasonable cause to believe or suspect may be of an endangered, threatened, or exploited species, and has not been granted a permit or certificate in respect of that specimen under this Part or Part II of this Act, that person shall---

- (a) Surrender the specimen to an officer; and
- (b) State to the officer his or her full name; and
- (c) In the case of--
  - (i) New Zealand citizens and permanent residents, state his or her address;
  - (ii) Visitors to this country, state an address at which he or she may be contacted and his or her permanent address outside New Zealand---

where that person has voluntarily disclosed the presence of the specimen to the officer as soon as practicable after the specimen arrives in New Zealand, for the purposes of this Act, he or she shall be taken not to have imported that specimen.

(3) Any specimen surrendered to an officer under subsection (2) of this section shall be conveyed to any institution or place considered by the Director-General appropriate for the holding of that specimen.

(4) If any specimen surrendered to an officer under subsection (2) of this section is subsequently ascertained not to be a specimen of an endangered, threatened, or exploited species, it shall be released to the person who surrendered the specimen.

28. Disposal and release of specimens seized from arrivals from overseas---(1) If any person who surrenders a specimen under subsection (2) of this section does not, within 14 days from the date of surrender, act in accordance with subsection (2) or subsection (4) of this section that specimen shall be forfeit to the Crown and shall be disposed of in accordance with section 42 of this Act.

(2) Any New Zealand citizen or permanent resident or intending resident who surrendered a specimen under subsection (2) of section 27 of this Act may apply to the Director-General in accordance with this Part or Part II of this Act for the appropriate permit or certificate authorising trade in that specimen.

(3) Subject to subsection (6) of this section, if such a permit or certificate---

- (a) Is subsequently granted that specimen shall be released to the applicant;
- (b) Is not granted that specimen shall be forfeit to the Crown and shall be disposed in accordance with section 42 of this Act.

(4) Any visitor to New Zealand who surrendered a specimen under subsection (2) of section 27 of this Act may apply to the Director-General for the return of that specimen upon the visitor's departure from this country.

(5) Subject to subsection (6) of this section, the Director-General shall consider any application under subsection (4) of this section as expeditiously as possible and---

(a) If the Director-General grants the application, the Department shall take all reasonable steps to enable the applicant to take the specimen from the aerodrome or port at which the visitor surrendered the specimen, if and when the visitor leaves New Zealand:

(b) If the Director-General declines the application, that specimen shall be forfeit to the Crown and shall be disposed of in accordance with section 42 of this Act.

(6) Any specimen that has been surrendered in accordance with this section shall not be released pursuant to subsection (4) or subsection (5) (a) of this section to the person who had possession of it at the time of surrender, until that person has paid all costs and expenses incurred by the Crown in relation to the custody of the specimen, including any costs of transporting the specimen.

## PART II

### EXEMPTIONS

29. Certificate of acquisition---(1) Every person seeking to export or re-export a specimen of an endangered, threatened, or exploited species that was legally acquired before the provisions of this Act applied to that specimen shall apply in writing to the Director-General for a certificate of acquisition.

(2) The Director-General may, after (if necessary) consultation with the appropriate other management authority, issue a certificate of acquisition to any applicant if the management authority is satisfied that the specimen to which the application relates was legally acquired before the provisions of this Act applied to that specimen.

(3) Part I of this Act shall not apply to any person who has been issued with a certificate of acquisition under subsection (2) of this section.

(4) Notwithstanding subsection (3) of this section, sections 9, 10, and 25 of this Act shall, with all necessary modifications, apply to a certificate of acquisition.

30. Endangered species as personal or household effects---(1) Except as provided in subsection (2) of this section, Part I of this Act shall not apply to any specimen of an endangered, threatened, or exploited species that is a personal or household effect.

(2) Part I of this Act shall apply to any specimen that is a personal

or household effect being imported into New Zealand by a person resident in New Zealand where---

- (a) The specimen is of an endangered or threatened species acquired by the owner outside New Zealand; or
- (b) The specimen is of an endangered, threatened, or exploited species that is imported for primarily commercial reasons,---

unless that specimen was acquired before the provisions of this Act applied to such specimens.

31. Certificate for specimens bred in captivity or artificially propagated---(1) Every person seeking to export or re-export a specimen of an endangered, threatened, or exploited species that---

- (a) In the case of an animal, was bred in captivity; or
- (b) In the case of a plant, was artificially propagated; or
- (c) Is a recognisable part or derivative of such a specimen---

shall apply in writing to the Director-General for a certificate for specimens bred in captivity or artificially propagated.

(2) The Director-General may, after (if necessary) consultation with the appropriate other management authority, issue a certificate for specimens bred in captivity or artificially propagated to an applicant if the other management authority is satisfied that the specimen to which the application relates was bred in captivity, or as the case may be, was artificially propagated, or is a recognisable part or derivative of such a specimen.

(3) For the purposes of trade, a certificate for specimens bred in captivity or artificially propagated shall be accepted in lieu of any of the permits or certificates granted under any of sections 13 to 24 of this Act.

(4) For the purpose of this section, sections 9, 10, and 25 of this Act shall, with all necessary modifications, apply to a certificate for specimens bred in captivity or artificially propagated.

32. Scientific transfer---Part I of this Act shall not apply to the non-commercial loan, donation, or exchange between scientists or scientific institutions in New Zealand recognised by the Director-General and scientists or scientific institutions in other States recognised by the relevant authorities of those States, of---

- (a) Herbarium and other preserved, dried, or embedded plants:
- (b) Live plants:
- (c) Preserved animals, and skins of animals:
- (d) Live animals,---

that are specimens of an endangered, threatened, or exploited species and which carry a label issued or approved by the Director-General.

33. Travelling circus or exhibition---The Director-General may, after (if necessary) consultation with the appropriate other management authority, waive the requirement of holding a permit or certificate granted under Part I of this Act in respect of any specimens of an endangered, threatened, or exploited species that form part of a

travelling zoo, circus, menagerie, plant exhibition, or other travelling exhibition where---

- (a) The exporter or importer registers full details of such specimens with the Director-General; and
- (b) The specimens were---
  - (i) Acquired before the provisions of the Convention applied to those specimens; or
  - (ii) In the case of animals, bred in captivity, or in the case of plants, artificially propagated; and
- (c) That management authority is satisfied that any living specimen will be transported and cared for so that the risk of---
  - (i) Injury to the specimen; and
  - (ii) Adverse effect on the health of the specimen; and
  - (iii) In the case of an animal, cruel treatment of the specimen,---

is minimised.

#### 34. Certificate of capture in accordance with other treaties---(1)

Subject to subsection (2) of this section, Part I of this Act shall not apply to trade in any marine specimen of a threatened species that is taken---

- (a) By any ship registered in New Zealand or by any foreign fishing craft licensed under the Territorial Sea and Exclusive Economic Zone Act 1977; and
- (b) In accordance with any international agreement to which New Zealand was a party before the commencement of this Act.

(2) Every person who introduces any such marine specimen into New Zealand and wants to subsequently export that specimen shall apply in writing to the Director-General for a certificate of capture in accordance with other treaties.

(3) The Director-General may, after (if necessary) consultation with the appropriate other management authority, issue a certificate of capture in accordance with other treaties to an applicant if the other management authority is satisfied that the specimen, to which the application relates, was taken---

- (a) By any ship registered in New Zealand or by any foreign fishing craft licensed under the Territorial Sea and Exclusive Economic Zone Act 1977; and
- (b) In accordance with any international agreement to which New Zealand was a party before the commencement of this Act.

(4) For the purposes of this section, sections 9, 10, and 25 of this Act shall, with all necessary modifications, apply to a certificate of capture in accordance with other treaties.

### PART III

#### ENDANGERED SPECIES OFFICERS

35. Endangered Species Officers---(1) Every Inspector appointed under the Animals Act 1967, or the Ministry of Agriculture and Fisheries Act 1953, or the Plants Act 1970, and every officer of Customs shall be an Endangered Species Officer for the purposes of this Act.

(2) Notwithstanding subsection (1) of this section, there may from time to time be appointed pursuant to the State Sector Act 1988 such other persons to be Endangered Species Officers as may be required for the purposes of this Act.

36. Authority to act as officer---(1) The Secretary shall issue to any officer appointed under section 35 (2) of this Act a warrant authorising the officer to exercise the powers conferred on officers under this Part of this Act.

(2) Every such warrant shall contain---

- (a) A reference to this section; and
- (b) The full name of the officer; and
- (c) A reference to the powers set out in sections 37 to 39 of this Act.

(3) The production by an officer of---

- (a) A warrant issued under this section; or
- (b) Due evidence of the appointment of the officer as an Inspector under the Animals Act 1967, or the Ministry of Agriculture and Fisheries Act 1953, or the Plants Act 1970; or
- (c) Any evidence that the officer is an officer of Customs---

shall, until the contrary is proved, be sufficient authority for any such officer to do anything authorised by this Part of this Act.

(4) Every person appointed under section 35 (2) of this Act who ceases to hold office as an officer shall surrender to the Director-General the warrant issued to the person under subsection (1) of this section.

(5) Every person commits an offence against this Act who fails to comply with subsection (4) of this section.

37. Rights of entry---(1) Subject to section 38 (2) of this Act and notwithstanding any other Act, any officer who has reasonable grounds to believe that a breach of this Act or of any regulation made under it has been or is being committed, may at any time---

- (a) Stop and enter or board any vehicle;
- (b) Enter, pass across, or remain on any land or premises (including a dwellinghouse and a marae and a building associated with a marae);
- (c) Demand any information relating to that breach from any person in or on that vehicle, land, or premises and require such persons to produce---
  - (i) Any permit or certificate granted under this Act; and
  - (ii) Any other documents relating to trade in endangered species.

(2) Notwithstanding subsection (1) of this section, no officer shall enter any dwellinghouse or a marae or a building associated with a marae unless the officer is authorised in that behalf by a search warrant obtained under section 38 (2) of this Act.

(3) Every officer exercising a power to enter under subsection (1) of this section shall identify himself or herself and have with him or her

due evidence of his or her appointment and shall produce that evidence to the owner or occupier or, as the case may be, person in charge of the vehicle, land, or premises---

- (a) If practicable, on first entering the vehicle or on the land or premises; and
- (b) Whenever subsequently reasonably required to do so by that owner or occupier or person in charge.

(4) If an officer exercises a power to enter under subsection (1) of this section, written advice of the entry and the purpose of the entry shall be given to the owner or occupier or, as the case may be, person in charge of the vehicle, land, or premises as soon as practicable after that entry where---

- (a) No prior notice or agreement of the entry was given or made; and
- (b) That owner or occupier or person in charge was not present at the time of entry.

(5) No person shall be required to answer any question by an officer if the answer would or could tend to incriminate that person.

(6) Any officer lawfully exercising his or her powers under this section may make or take copies of any document, and for this purpose may take possession of and remove from the place where it is kept, for such period of time as is reasonable in the circumstances, any such document.

38. Powers of search---(1) Subject to subsection (2) of this section, any officer who has entered any vehicle, land, or premises (including a dwellinghouse and a marae and a building associated with a marae) under section 37 (1) of this Act may search that vehicle, land, or premises and open (by force if necessary) any bulk cargo container, packing case, crate, box, or any other form of receptacle on that vehicle, land, or premises.

(2) Any District Court Judge or Justice of the Peace or Registrar of any Court (not being a member of the Police), who, on application by an officer in writing made on oath, is satisfied that there is in any dwellinghouse or any marae or a building associated with a marae---

- (a) Any specimen of an endangered, threatened, or exploited species that there is reasonable ground to believe---
  - (i) Has been traded otherwise than in accordance with this Act; or
  - (ii) Is intended to be traded otherwise than in accordance with this Act; or
- (b) Any thing which there is reasonable ground to believe may be evidence of the commission of any offence against this Act; or
- (c) Any thing which there is reasonable ground to believe is intended to be used for the purpose of committing any such offence---

may issue a search warrant to that officer; and the provisions of subsections (3) to (8) of section 198 of the Summary Proceedings Act 1957 shall apply accordingly.

39. Seizure of endangered species traded in contravention of Act--(1) Where an officer finds, in or on any ship or aircraft or at any port or

aerodrome, any specimen of an endangered, threatened, or exploited species that---

- (a) Is being traded otherwise than in accordance with this Act; or
- (b) Is not listed on the inward or outward report in respect of that ship or aircraft,---

that specimen shall be forfeit to the Crown, and shall be seized by the officer who shall dispose of it in accordance with section 42 of this Act.

(2) Any officer who has reasonable cause to believe that any specimen of an endangered, threatened, or exploited species has been imported or introduced from the sea into New Zealand otherwise than in accordance with this Act, may seize that specimen and,---

- (a) In the case of an animal, any descendant of that specimen; or
- (b) In the case of a plant, any propagation of that specimen,---

and shall deliver it into the custody of the Director-General.

(3) Any officer who has reasonable cause to believe that any specimen of an endangered, threatened, or exploited species is intended to be exported or re-exported from New Zealand otherwise than in accordance with this Act, may seize that specimen and shall deliver it into the custody of the Director-General.

(4) Any officer seizing any specimen under this section may also seize---

- (a) Any container, packing case, crate, box, or any other form of receptacle (not being a bulk cargo container or a pallet) holding that specimen; and
- (b) Any thing which the officer has reason to believe will be evidence of a breach of the provisions of this Act or of any regulation made under it,---

and shall deliver it into the custody of the Director-General:

Provided that the owner or the person entitled to the possession of the items seized under this subsection may apply to the District Court at any time for the return of those items, not being items that are required for evidential purposes in a hearing of any Court, and the Court may order the retention of those items or their return on such conditions as the Court thinks fit.

(5) No compensation shall be payable in respect of any specimen seized under subsection (1) of this section.

40. Custody of seized specimens---(1) Where, in the opinion of the Director-General, any specimen seized pursuant to subsection (2) or subsection (3) of section 39 of this Act may die, rot, spoil, or otherwise perish, the Director-General may dispose of it in accordance with section 42 (1) of this Act as if that specimen was forfeit to the Crown.

(2) Where the ownership of---

- (a) Any specimen seized pursuant to subsection (2) or subsection (3)

of section 39 of this Act; or

(b) Any receptacle or thing seized pursuant to this section,---

cannot, at the time of seizure or within 90 days from the date of seizure, be ascertained it shall be forfeit to the Crown, and---

(c) In the case of a specimen, be disposed of in accordance with section 42 of this Act; or

(d) In the case of a receptacle or thing, be disposed of as directed by the Director-General, subject to any conditions imposed by the Court pursuant to the proviso to subsection (4) of section 39 of this Act.

(3) Except as provided in subsections (1) and (2) of this section,---

(a) Every specimen seized pursuant to subsection (2) or subsection (3) of section 39 of this Act; and

(b) Every receptacle or thing seized pursuant to this section---

shall be held in the custody of the Crown until---

(c) A decision is made not to lay any information or charge in respect of the alleged offence for which the specimen, receptacle, or thing was seized; or

(d) Where such a charge or information is laid, upon the completion of proceedings in respect of the alleged offence for which the specimen, receptacle, or thing was seized, or such sooner time as the Court may determine.

(4) The decision whether or not to lay any information or charge in respect of an alleged offence for which any specimen, receptacle, or thing is seized under this section shall be made as soon as reasonably practicable after that specimen, receptacle, or thing is seized, taken possession of, or detained.

41. Release of seized specimens---Subject to subsection (1) of section 39 and subsections (1) and (2) of section 40 of this Act, where any specimen, receptacle, or thing has been seized under this section and not previously returned by the Court pursuant to the proviso to subsection (4) of section 39 of this Act, then---

(a) On a decision being made not to lay an information or charge; or

(b) On the acquittal of any person charged with an offence for which the specimen, receptacle, or thing is subject to forfeiture---

such specimen, receptacle, or thing shall forthwith be released from the custody of the Crown to the owner or person who had possession of the specimen at the time of seizure.

42. Disposal of seized specimens---(1) Any specimen of an endangered, threatened, or exploited species forfeited to the Crown shall be disposed of in such manner as the Director-General may direct, after consultation with the relevant scientific and management authorities.

(2) The Director-General may negotiate the return, and the payment of any costs associated with that return, of any specimen imported into New Zealand, otherwise than in accordance with this Act, with the management authority of the country from where that specimen originated.

(3) All costs and expenses of and attendant upon any disposal of a specimen forfeited to the Crown and seized under section 39 (1) of this Act shall be borne by the owner or the person who had possession thereof, and shall be recoverable from him or her as a debt due to the Crown, and no compensation shall be payable in respect thereof.

(4) Notwithstanding sections 39 (1), 40 (1) and (2) and section 51 (1) of this Act, any specimen of an endangered, threatened, or exploited species seized under section 39 of this Act that is deemed to be the property of the Crown under section 57 of the Wildlife Act 1953 shall be disposed of in accordance with that Act.

43. Duty of officers of New Zealand Post Limited---(1) It shall be the duty of all officers of New Zealand Post Limited to assist in carrying out the provisions of this Part of this Act and to prevent the import into and export from New Zealand of any specimen of an endangered, threatened, or exploited species otherwise than in accordance with this Act, and for that purpose those officers of New Zealand Post Limited may, in respect of any specimen so imported or exported or attempted to be imported or exported, exercise all the powers conferred by the Postal Services Act 1987 in the case of postal articles posted in violation of that Act.

(2) Notwithstanding subsection (1) of this section, a person shall not be liable to a penalty under the Postal Services Act 1987 (other than forfeiture of the specimen) because any specimen is treated as a postal article posted in violation of that Act by virtue of this section.

(3) Notwithstanding subsection (1) of this section, where any specimen is forfeited under the Postal Services Act 1987 it shall be disposed of in accordance with section 42 of this Act.

## PART IV

### MISCELLANEOUS PROVISIONS

44. Trading or attempting to trade in endangered, threatened, or exploited species without permit or certificate---Every person commits an offence and is liable on summary conviction to---

- (a) A fine not exceeding \$40,000 if the offender is a body corporate and \$20,000 if the offender is an individual, who trades or attempts to trade in any specimen of an endangered species without the appropriate permit or certificate granted under any of sections 13 to 16 of this Act:
- (b) A fine not exceeding \$20,000 if the offender is a body corporate and \$10,000 if the offender is an individual, who trades or attempts to trade in any specimen of a threatened species without the appropriate permit or certificate granted under any of sections 17 to 20 of this Act:
- (c) A fine not exceeding \$15,000 if the offender is a body corporate and \$7,500 if the offender is an individual, who trades or attempts to trade in any specimen of an exploited species without the appropriate permit or certificate granted under any of sections 21 to 24 of this Act.

45. Possession of specimen of endangered, threatened, or exploited species---Every person who has in his or her possession, or has under his or her control though under the custody of another, any specimen of an endangered, threatened, or exploited species that he or she knows---
- (a) Has been imported or introduced from the sea into New Zealand otherwise than in accordance with this Act; or
  - (b) Is intended to be exported or re-exported from New Zealand otherwise than in accordance with this Act,---

commits an offence against this Act and shall be liable on summary conviction to a fine,---

- (c) In the case of a specimen of an endangered species, not exceeding \$40,000 if the offender is a body corporate and \$20,000 if the offender is an individual:
- (d) In the case of a specimen of a threatened species, not exceeding \$20,000 if the offender is a body corporate and \$10,000 if the offender is an individual:
- (e) In the case of a specimen of an exploited species, not exceeding \$15,000 if the offender is a body corporate and \$7,500 if the offender is an individual.

46. Failure to comply with conditions of permit or certificate---Every person commits an offence against this Act who has failed to comply with any of the conditions specified by the Minister in respect of any permit or certificate granted to him or her under Part I of this Act and shall be liable on summary conviction to a fine not exceeding \$10,000 if the offender is a body corporate and \$5,000 if the offender is an individual.

47. Making false statement---Every person who, for the purpose of procuring anything to be done or not to be done under Part I or Part II or Part III of this Act, whether for his or her own benefit or for the benefit of any other person, makes a statement that he or she knows to be false in a material particular, or recklessly makes a statement that is false in a material particular, commits an offence against this Act and is liable on summary conviction to imprisonment for a term not exceeding 3 months or to a fine not exceeding \$2,000.

48. Obstructing or hindering officer---Every person commits an offence against this Act who intentionally obstructs or hinders any officer in the performance of his or her duty under this Act.

49. General offence---Every person who commits an offence against this Act for which no penalty is provided otherwise than in this section is liable, on summary conviction, to a fine not exceeding \$2,000.

50. Onus of proof in respect of certain offences---Where any person is charged with an offence under this Act arising out of his or her doing, without a permit or certificate, any action for which a permit or certificate is required, the onus shall be on that person to prove that at the relevant time he or she held the required permit or certificate.

51. Forfeiture of property on conviction---(1) Subject to subsection (2) of this section, on the conviction of any person for any offence under this Act,---

- (a) Any specimen of an endangered, threatened, or exploited species in respect of which the offence has been committed; and
- (b) Any container, packing case, crate, box, or any other form of receptacle (not being a bulk cargo container or a pallet) used in relation to the commission of the offence,---

whether or not they have been seized, taken possession of, or detained under section 39 of this Act, shall be forfeit to the Crown, and disposed of,---

- (c) In the case of a specimen, in accordance with section 42 of this Act:
- (d) In the case of a receptacle, as the Director-General directs.

(2) Notwithstanding the conviction of any person for any offence under this Act, no specimen shall be forfeited or disposed of until proceedings are finally determined.

(3) Any person whose receptacle has been forfeit to the Crown under subsection (1) of this section or any person having a legal or equitable interest in such property may apply to the Minister within 30 days of conviction for the release of the property so forfeited; and the Minister may order the release of such property on payment to the Crown of such amount as the Minister thinks appropriate, being an amount not exceeding the amount the items otherwise forfeited are estimated by the Director-General to realise if sold by public auction in New Zealand.

(4) Any forfeiture directed or redemption payment imposed pursuant to this section shall be in addition to, and not in substitution for, any other penalty that may be imposed by the Court or by this Act.

52. Protection of officers and others---A person who does any act in pursuance or intended pursuance of any of the functions conferred on that person by or under this Act shall not be under any civil or criminal liability in respect thereof, whether on the ground of want of jurisdiction, or mistake of law or fact, or on any other ground, unless the person has acted, or omitted to act, in bad faith or without reasonable cause.

53. Schedules---The Governor-General may, from time to time, by Order in Council, add, omit, or amend any item in the First Schedule or the Second Schedule or the Third Schedule to this Act in order that the Schedules may conform with the Convention, as amended from time to time.

54. Regulations---The Governor-General may from time to time, by Order in Council, make regulations for all or any of the following purposes:

- (a) Prescribing the fees to be paid in respect of any permit or certificate granted under this Act:
- (b) Prescribing the recording of trade in endangered, threatened, or exploited species:
- (c) Regulating the non-commercial loan, donation, and exchange between scientists and scientific institutions in New Zealand and those in other countries:
- (d) Prescribing the registration of scientists and scientific institutions in New Zealand involved in such exchanges:
- (e) Regulating the breeding in captivity, in the case of an animal,

and the artificial propagation, in the case of a plant, of any specimen of endangered, threatened, or exploited species:

- (f) Prescribing fines not exceeding \$2,000 for a breach of any such regulation:
- (g) Providing for such matters as are contemplated by or necessary for giving full effect to the provisions of this Act and for its due administration.

55. Consequential amendment---The Conservation Act 1987 is hereby consequentially amended by adding to the First Schedule the following item:

``The Trade in Endangered Species Act 1989''.

Trade In Endangered Species Act 1989 018  
 Commenced: 1 Jun 1989  
 FIRST SCHEDULE: Species Endangered by Trade

SCHEDULES

-----  
 FIRST SCHEDULE

Section 3 (1)

SPECIES ENDANGERED BY TRADE

PART I---ANIMALS

Division 1---Class Mammalia

Order	Family	Genus, species or sub-species
ARTIODACTYLA	Bovidae	Addax nasomaculatus
		Antilocapra americana peninsularis
		Antilocapra americana sonoriensis
		Bison bison athabascae
		Bos gaurus (frontalis)
		Bos mutus (grunniens)
		Bos (Novibos) sauveli
		Bubalus (Anoa) depressicornis
		Bubalus (Anoa) mindorensis
		Bubalus (Anoa) quarlesi
		Capra falconeri chialtanensis
		Capra falconeri jerdoni
		Capra falconeri megaceros
		Capricornis sumatraensis
		Gazella dama
		Hippotragus niger variani
		Nemorhaedus goral
		Oryx dammah (tao)
		Oryx leucoryx
		Ovis ammon hodgsoni
		Ovis orientalis (aries) ophion
		Ovis vignei
		Pantholops hodgsoni
		Rupicapra rupicapra ornata
	Cervidae	Blastocercus dichotomus
		Cervus (Dama) dama mesopotamicus
		Cervus duvauceli
		Cervus elaphus hanglu
		Cervus eldi
		Cervus (Axis/Hyelaphus) porcinus annamiticus
		Cervus (Axis/Hyelaphus) porcinus calamianensis
		Cervus (Axis/Hyelaphus) porcinus k
		All species of Hippocamelus
		Muntiacus crinifrons

CARNIVORA

	Ozotoceros bezoarticus
	Pudu pudu
Suidae	Babyrousa babyrussa
	Sus salvanius
Tayassuidae	Catagonus wagneri
Canidae	Speothos venaticus
Felidae	Acinonyx jubatus
	Felis concolor coryi
	Felis concolor costaricensis
	Felis concolor cougar
	Felis jacobita
	Felis marmorata
	Felis nigripes
	Felis pardalis mearnsi
	Felis pardalis mitis
	Felis planiceps
	Felis (Lynx) rufa escuinapae
	Felis temmincki
	Felis tigrina oncilla
	Felis wiedii nicaraguae
	Felis wiedii salvinia
	Neofelis nebulosa
	Panthera leo persica
	Panthera onca
	Panthera pardus
	Panthera tigris
	Panthera uncia
Hyaenidae	Hyaena brunnea
Mustelidae	Enhydra lutris nereis
	Lutra felina
	Lutra longicaudis
	(platensis/annectens/enudris/ in
	Lutra lutra
	Lutra provocax
	Mustela nigripes
	Pteronura brasiliensis
Ursidae	Ailuropoda melanoleuca
	Helarctos malayanus
	Selenarctos thibetanus
	Tremarctos ornatus
	Ursus arctos isabellinus
	Ursus arctos nelsoni
	Ursus arctos pruinosus
Viverridae	Prionodon pardicolor
Platanistidae	Lipotes vexillifer
	All species of Platanista
Physeteridae	Physeter macrocephalus (catodon)
Delphinidae	All species of Sotalia
	All species of Sousa
Phocoenidae	Neophocaena phocaenoides
	Phocoena sinus
Ziphiidae	All species of Berardius
	All species of Hyperoodon
Eschrichtidae	Eschrichtius robustus (glaucus)
Balaenopteridae	Balaenoptera borealis
	Balaenoptera edeni
	Balaenoptera musculus
	Balaenoptera physalus

CETACEA

	Balaenidae	Megaptera novaeangliae All species of Baleana (Eubalaena)
EDENTATA	Dasypodidae	Caperea marginata
LAGOMORPHA	Leporidae	Priodontes maximus (giganteus) Caprolagus hispidus Romerolagus diazi
MARSUPIALIA	Dasyuridae	Sminthopsis longicaudata Sminthopsis psammophila
	Macropodidae	All species of Bettongia Caloprymnus campestris Lagorchestes hirsutus Lagostrophus fasciatus Onychogalea fraenata Onychogalea lunata
	Peramelidae	Chaeropus ecaudatus Perameles bougainville
	Thylacinidae	Thylacinus cynocephalus
	Thylacomyidae	Macrotis lagotis  Macrotis leucura
PERISSODACTYLA	Vombatidae	Lasiorhinus krefftii
	Equidae	Equus africanus Equus grevyi Equus hemionus hemionus Equus hemionus khur Equus przewalskii Equus zebra zebra
	Rhinocerotidae	(All species of Rhinocerotidae)
	Tapiridae	(Species of Tapiridae other than sj specified in Part I of Schedule :
PHOLIDOTA	Manidae	Manis temminckii
PINNIPEDIA	Otariidae	Arctocephalus townsendi
	Phocidae	All species of Monachus
PRIMATES	Callimiconidae	Callimico goeldii
	Callithricidae	Callithrix jacchus aurita Callithrix jacchus flaviceps All species of Leontopithecus (Leontideus) Saguinus bicolor Saguinus leucopus Saguinus oedipus (geoffroyi)
	Cebidae	Alouatta palliata Ateles geoffroyi frontatus Ateles geoffroyi panamensis  Brachyteles arachnoides All species of Cacajao Chiropotes albinasus Lagothrix flavicauda Saimiri oerstedii
	Cercopithecidae	Cercocebus galeritus galeritus Cercopithecus diana (roloway) Colobus pennantii (badius) kirki Colobus (badius) rufomitratu Macaca silenus All species of Nasalis (Simias) Papio (Mandrillus) leucophaeus Papio (Mandrillus) sphinx Presbytis entellus

		Presbytis geei Presbytis pileata
		Presbytis potenziani
		All species of Pygathrix (Rhinopit)
	Cheirogaleidae	All species of Cheirogaleidae
	Daubentoniidae	Daubentonia madagascariensis
	Hylobatidae	All species of Hylobatidae
	Indriidae	All species of Indriidae
	Lemuridae	All species of lemurs
	Pongidae	(All species of Pongidae)
PROBOSCIDEA	Elephantidae	Elephas maximus
RODENTIA	Muridae	Leporillus conditor
		Pseudomys praeconis Xeromys myoides Zyzomys pedunculatus
	Sciuridae	Cynomys mexicanus
SIRENIA	Trichechidae	Trichechus inunguis Trichechus manatus

---

Division 2---Class Aves

---

Order	Family	Genus, species or sub-species
ANSERIFORMES	Anatidae	Anas aucklandica nesiotis  Anas (platyrhynchos) laysanensis Anas oustaleti  Branta canadensis leucopareia Branta sandvicensis Cairina scutulata Rhodonessa caryophyllacea
APODIFORMES	Trochilidae	Glaucis (Ramphodon) dohrnii
CHARADRIIFORMES	Laridae	Larus relictus
	Scolopacidae	Numenius borealis Numenius tenuirostris Tringa guttifer
CICONIIFORMES	Ciconiidae	Ciconia ciconia boyciana Jabiru mycteria Mycteria cinerea
	Threskiornithidae	Geronticus eremita Nipponia nippon
COLUMBIFORMES	Columbidae	Caloenas nicobarica  Ducula mindorensis
CORACIIFORMES	Bucerotidae	Buceros bicornis homrai
FALCONIFORMES	Accipitridae	Rhinoplax vigil Aquila heliaca Chondrohierax uncinatus wilsonii Haliaeetus albicilla

		Haliaeetus leucocephalus
		Harpia harpyja
		Pithecophaga jefferyi
	Cathartidae	Gymnogyps californianus
		Vultur gryphus
	Falconidae	Falco araea
		Falco jugger
		Falco newtoni aldabranus
		Falco peregrinus
		(pelegrinoides/babylonicus)
		Falco punctatus
		Falco rusticolus
GALLIFORMES	Cracidae	Aburria (Pipile) jacutinga
		Aburria (Pipile) pipile pipile
		Crax blumenbachi
		Crax (Mitu) mitu mitu
		Oreophasis derbianus
		Penelope albipennis
	Megapodiidae	Macrocephalon maleo
	Phasianidae	Catreus wallichii
		Colinus virginianus ridgwayi
		Crossoptilon crossoptilon
		Crossoptilon mantchuricum
		All species of Lophophorus
		Lophura edwardsi
		Lophura imperialis
		Lophura swinhoii
		Polyplectron emphanum
		Rheinartia ocellata (nigrescens)
		Syrmaticus ellioti
		Syrmaticus humiae
		Syrmaticus mikado
		Tetraogallus caspius
		Tetraogallus tibetanus
		Tragopan blythii
		Tragopan caboti
		Tragopan melanocephalus
		Tympanuchus cupido attwateri
GRUIFORMES	Gruidae	Grus americana
		Grus canadensis nesiototes
		Grus canadensis pulla
		Grus japonensis
		Grus leucogeranus
		Grus monacha
		Grus nigricollis
		Grus vipio
	Otididae	Chlamydotis undulata
		Choriotis nigriceps
		Houbaropsis (Eupodotis) bengalensi.
	Rallidae	Tricholimnas sylvestris
	Rhynochetidae	Rhynochetos jubatus
PASSERIFORMES	Atrichornithidae	Atrichornis clamorus
	Cotingidae	Cotinga maculata
		Xipholena atropurpurea

	Fringillidae	Carduelis (Spinus) cucullata
	Meliphagidae	Meliphaga cassidix
	Muscicapidae	Dasyornis longirostris
		Dasyornis broadbenti litoralis
		All species of Picathartes
	Pittidae	Pitta kochi
	Sturnidae	Leucopsar rothschildi
	Zosteropidae	Zosterops albobularis
PELECANIFORMES	Fregatidae	Fregata andrewsi
	Pelecanidae	Pelecanus crispus
	Sulidae	Sula abbotti
PICIFORMES	Picidae	Campephilus imperialis
		Dryocopus javensis richardsi
PODICIPEDIFORMES	Podicipedidae	Podilymbus gigas
PROCELLARIIFORMES	Diomedeidae	Diomedea albatrus
PSITTACIFORMES	Psittacidae	Amazona arausiaca
		Amazona barbadensis
		Amazona brasiliensis
		Amazona dufresniana rhodocorytha
		Amazona guildingii
		Amazona imperialis
		Amazona leucocephala
		Amazona pretrei
		Amazona versicolor
		Amazona vinacea
		Amazona vittata
		All species of Anodorhynchus
		Ara ambigua
		Ara glaucogularis (Ara caninde)
		Ara macao
		Ara militaris
		Ara rubrogenys
		Aratinga guarouba
		Cyanopsitta spixii
		Cyanoramphus auriceps forbesi
		Cyanoramphus novaezelandiae
		Geopsittacus occidentalis
		Neophema chrysogaster
		Ognorhynchus icterotis
		Opsittacus (Cyclopsitta) diophthalmi coxeni
		Pezoporus wallicus
		Pionopsitta pileata
		Probosciger aterrimus
		Psephotus chrysopterygius
		Psephotus pulcherrimus
		Psittacula echo
		Psittacus erithacus princeps
		Pyrrhura cruentata

RHEIFORMES	Rheidae	All species of Rhynchopsitta Strigops habroptilus
SPHENISCIFORMES	Spheniscidae	Pterocnemia pennata Spheniscus humboldti
STRIGIFORMES	Strigidae	Athene blewitti
		Ninox novaeseelandiae royana Ninox squamipila natalis Otus (Mimizuku) gurneyi
TINAMIFORMES	Tytonidae	Tyto soumagnei
	Tinamidae	Tinamus solitarius
TROGONIFORMES	Trogonidae	Pharomachrus mocinno

Division 3---Class Reptilia

Order	Family	Genus, species or sub-species
CROCODYLIA	Alligatoridae	Alligator sinensis
		Caiman crocodilus apaporiensis Caiman latirostris
	Crocodylidae	Melanosuchus niger
		Crocodylus acutus
		Crocodylus intermedius
		Crocodylus moreletii
		Crocodylus novaeguineae mindorensis
		Crocodylus palustris
		Crocodylus rhombifer
		Crocodylus siamensis Tomistoma schlegelii
RHYNCHOCEPHALIA SERPENTES	Gavialidae	Gavialis gangeticus
	Sphenodontidae	Sphenodon punctatus
	Boidae	All species of Acrantophis
		Boa (Constrictor) constrictor occidentalis
		Bolyeria multocarinata
		Casarea dussumieri
		Epicrates inornatus
		Epicrates monensis
		Epicrates subflavus
		Python molurus molurus
	Sanzinia madagascariensis	
SAURIA	Iguanidae	All species of Brachylophus
		All species of Cyclura Sauromalus varius
	Lacertidae	Gallotia simonyi
	Varanidae	Varanus bengalensis
		Varanus flavescens Varanus griseus Varanus komodoensis
TESTUDINATA	Chelidae	Pseudemydura umbrina
	Cheloniidae	(All species of Cheloniidae)
	Dermodochelyidae	Dermodochelys coriacea
	Emydidae	Batagur baska
		Geoclemys hamiltonii
		Kachuga tecta tecta

Melanochelys (Geoemyda/Nicoria)  
tricarinata

Morenia ocellata

Testudinidae  
Terrapene coahuila  
Geochelone (Testudo) elephantopus  
Geochelone (Testudo) radiata  
Geochelone (Testudo) yniphora

Gopherus flavomarginatus

Trionychidae  
Psammobates (Testudo) geometricus  
Lissemys punctata punctata

Trionyx ater

Trionyx gangeticus

Trionyx hurum

Trionyx nigricans

-----  
Division 4---Class Amphibia

Order	Family	Genus, species or sub-species
ANURA	Bufonidae	Atelopus varius zeteki Bufo superciliaris All species of Nectophrynoides
CAUDATA	Microhylidae Cryptobranchidae	Dyscophus antongilii All species of Andrias (Megalobatrachina)

-----  
Division 5---Class Pisces

Order	Family	Genus, species or sub-species
ACIPENSERIFORMES	Acipenseridae	Acipenser brevirostrum Acipenser sturio
CYPRINIFORMES	Catostomidae Cyprinidae	Chasmistes cujus Probarbus jullieni
OSTEOGLOSSIFORMES	Osteoglossidae	Scleropages formosus
PERCIFORMES	Sciaenidae	Cynoscion macdonaldi
SILURIFORMES	Schilbeidae	Pangasianodon gigas

-----  
Division 6---Class Insecta

Order	Family	Genus, species or sub-species
LEPIDOPTERA	Papilionidae	Ornithoptera alexandrae Papilio chikae

Papilio homerus  
Papilio hospiton

---

Division 7---Class Mollusca

---

Order	Family	Genus, species or sub-species
STYLOMMATOPHORA	Achatinellidae	All species of Achatinella
UNIONOIDA	Unionidae	Conradilla caelata Dromus dromas  Epioblasma (Dysnomia) curtisi Epioblasma (Dysnomia) florentina  Epioblasma (Dysnomia) sampsoni  Epioblasma (Dysnomia) sulcata perol Epioblasma (Dysnomia) torulosa gubernaculum Epioblasma (Dysnomia) torulosa tor  Epioblasma (Dysnomia) turgidula  Epioblasma (Dysnomia) walkeri  Fusconaia cuneolus  Fusconaia edgariana Lampsilis higginsii Lampsilis orbiculata orbiculata Lampsilis satura Lampsilis virescens  Plethobasus cicatricosus Plethobasus cooperianus Pleurobema plenum Potamilus (Proptera) capax Quadrula intermedia  Quadrula sparsa  Toxolasma (Carunculina) cylindrelli  Unio nickliniana Unio tampicoensis tecomatensis Villosa (Micromya) trabalis

---

## PART II---POPULATIONS OF ANIMALS

Populations of animals of the species *Struthio camelus* (ostrich) in Algeria, Br Republic, Chad, Mali, Mauritania, Morocco, the Niger, Nigeria, Senegal, and the :

Populations of animals of the species *Vicugna vicugna* (vicuna, vicugna) other Province, Ia. Region of Tarapac, Chile; and other populations of Pampas Galeras l Osconta and Sawacocha (Province of Lucanas), Sais Picotani (Province of Azangar Salinas Aguada Blanca National Reserve (Provinces of Arequipa and Cailloma), Per

Population of animals of the genus *Moschus* (musk deer) in Afghanistan, Bhutan,

Population of animals of the species *Canis lupus* (wolf) in Bhutan, India, Nepa.

Population of animals of the subspecies *Felis bengalensis bengalensis* (leopard

Population of animals of the species *Felis (Lynx) caracal* (desert lynx or cara

Population of animals of the species *Felis rubiginosa* (rusty spotted cat) in I

Populations of animals of the species *Felis yagouaroundi* (jaguarundi) in Centr.

Populations of animals of the species *Aonyx congica* (Cameroon clawless/small-c. Nigeria.

Population of animals of the species *Balaenoptera acutorostrata* (Piked whale o.

Population of animals of the genus *Chinchilla* (chinchillas) in South America.

Population of animals of the species *Dugong dugon* (dugong) in areas outside Au.

Populations of animals of the species *Crocodylus cataphractus* (African slender-populations of the Congo subject to an annual export quota.

Populations of animals of the species *Crocodylus niloticus* (Nile or African cr and populations of Botswana, Cameroon, Congo, Kenya, Madagascar, Malawi, Mozambi and Zambia subject to annual export quotas.

Population of animals of the species *Crocodylus porosus* (estuarine crocodile) ( Papua New Guinea, and the population of Indonesia subject to annual export quota.

Populations of animals of the species *Osteolaemus tetraspis* (African dwarf cro subject to an annual export quota.

Populations of animals of the species *Vipera ursinii* in Europe, other than the

## PART III---PLANTS

Family	Genus, species or sub-species
AGAVACEAE	Agave arizonica Agave parviflora Nolina interrata
APOCYNACEAE	Pachypodium namaquanum
ARACEAE	Alocasia sanderiana Alocasia zebrina
ARAUCARIACEAE	Araucaria araucana from Chile
CACTACEAE	Ancistrocactus tobuschii Ariocarpus agavoides Ariocarpus scapharostrus Ariocarpus trigonus Astrophytum (Echinocactus) asterias Aztekium ritteri Backebergia militaris Coryphantha (Escobaria) minima Coryphantha (Escobaria) sneedii Coryphantha werdermannii Echinocereus lindsayi Echinomastus (Neolloydia) erectocent. Echinomastus (Neolloydia) mariposens. Leuchtenbergia principis Mammillaria pectinifera (Solisia pectinata) Mammillaria plumosa Mammillaria solisioides Nopalxochia (Lobeira) macdougallii Obregonia denegrii Pediocactus bradyi Pediocactus despainii Pediocactus knowltonii Pediocactus papyracanthus Pediocactus paradinei Pediocactus peeblesianus Pediocactus sileri Pediocactus winkleri All species of Pelecyphora Sclerocactus glaucus Sclerocactus mesae-verdae Sclerocactus pubispinus Sclerocactus wrightiae Strombocactus disciformis Turbinicarpus laui Turbinicarpus (Neolloydia) lophophor.  Turbinicarpus (Neolloydia) pseudomacrochele Turbinicarpus (Neolloydia) pseudopectinatus Turbinicarpus (Neolloydia) schmiedickeanus

	Turbinicarpus ( <i>Neolloydia</i> ) <i>valdeziana</i>
	<i>Wilcoxia schmollii</i>
CARYOCARACEAE	<i>Caryocar costaricense</i>
COMPOSITAE	<i>Saussurea lappa</i>
CRASSULACEAE	<i>Dudleya stolonifera</i>
	<i>Dudleya traskiae</i>
CUPRESSACEAE	<i>Fitz-Roya cupressoides</i>
	<i>Pilgerodendron uviferum</i>
CYCADACEAE	<i>Cycas beddomei</i>
FOUQUIERIACEAE	<i>Fouquieria fasciculata</i>
	<i>Fouquieria purpusii</i>
GENTIANACEAE	<i>Prepusa hookeriana</i>
HUMIRIACEAE	<i>Vantanea barbourii</i>
JUGLANDACEAE	<i>Engelhardtia pterocarpa</i>
LEGUMINOSAE	<i>Cynometra hemitomophylla</i>
	<i>Platymiscium pleiostachyum</i>
	<i>Tachigalia versicolor</i>
LILIACEAE	<i>Aloe albida</i>
	<i>Aloe pillansii</i>
	<i>Aloe polyphylla</i>
	<i>Aloe thorncroftii</i>
	<i>Aloe vossii</i>
MELASTOMATAACEAE	<i>Lavoisiera itambana</i>
MELIACEAE	<i>Guarea longipetiola</i>
MORACEAE	<i>Batocarpus costaricensis</i>
NEPENTHACEAE	<i>Nepenthes khasiana</i>
	<i>Nepenthes rajah</i>
ORCHIDACEAE	<i>Cattleya skinneri</i>
	<i>Cattleya trianae</i>
	<i>Didiciea cunninghamii</i>
	<i>Laelia jongheana</i>
	<i>Laelia lobata</i>
	<i>Lycaste skinneri</i> ( <i>virginalis</i> ) var. <i>a.</i>
	<i>Paphiopedilum druryi</i>
	<i>Peristeria elata</i>
	<i>Renanthera imschootiana</i>
	<i>Vanda coerulea</i>
PINACEAE	<i>Abies guatemalensis</i>
PODOCARPACEAE	<i>Podocarpus costalis</i>
	<i>Podocarpus parlatorei</i>
PROTEACEAE	<i>Orothamnus zeyheri</i>
	<i>Protea odorata</i>
RUBIACEAE	<i>Balmea stormiae</i>
SARRACENIACEAE	<i>Sarracenia alabamensis</i> sub-species
	<i>alabamensis</i>
	<i>Sarracenia jonesii</i>
	<i>Sarracenia oreophila</i>
STANGERIACEAE	<i>Stangeria eriopus</i> ( <i>paradoxa</i> )
WELWITSCHIIACEAE	<i>Welwitschia mirabilis</i> ( <i>bainesii</i> )
ZAMIACEAE	All species of <i>Ceratozamia</i>
	All species of <i>Encephalartos</i>
	<i>Microcycas calocoma</i>
ZINGIBERACEAE	<i>Hedychium philippinense</i>

---

Trade In Endangered Species Act 1989 018  
Commenced: 1 Jun 1989  
SECOND SCHEDULE: Species Threatened by Trade

SECOND SCHEDULE

Section 3 (1)

SPECIES THREATENED BY TRADE

PART I---ANIMALS

Division 1---Class Mammalia

Order	Family	Genus, species or sub-species
ARTIODACTYLA	Bovidae	Ammotragus lervia
		Antilocapra americana mexicana
		Budorcas taxicolor
		(Sub-species of Capra falconeri not specified in Part I of First Schedule)
		Cephalophus dorsalis
		Cephalophus jentinki
		Cephalophus monticola
		Cephalophus ogilbyi
		Cephalophus sylvicultor
		Cephalophus zebra
		Damaliscus dorcas dorcas
		Hippotragus equinus
		Kobus leche
		(Sub-species of Ovis ammon not specified in Part I of First Schedule)
Camelidae	Camelidae	Lama guanicoe
		Cervus elaphus bactrianus
Hippopotamidae	Hippopotamidae	Pudu mephistophiles
		Choeropsis liberiensis
		Species of Tayassuidae other than--
		(a) species specified in Part I of First Schedule; and
		(b) species a population of which specified in Part II of Second Schedule
Tayassuidae	Tayassuidae	Populations of species of Tayassuidae a population of which is specified in Part II of Second Schedule, other than the population so specified
CARNIVORA	Canidae	Chrysocyon brachyurus
		Cuon alpinus
		Dusicyon culpaeus
		Dusicyon griseus (fulvipes)
		Dusicyon gymnocercus
		Vulpes cana
		Vulpes (Fennecus) zerda
		Species of Felidae other than---
		(a) species specified in Part I of First Schedule; and
		(b) species specified in Part II of First Schedule;
Felidae	Felidae	

		(b) species a sub-species of which is specified in Part I or Part II of First Schedule; and
		(c) <i>Felis catus</i>
		(Sub-species of species of Felidae other than sub-species of which is specified in Part I or Part II of First Schedule)
	Mustelidae	<i>Conepatus humboldtii</i> Species of sub-family Lutrinae not specified in Part I or Part II of First Schedule
	Procyonidae	<i>Ailurus fulgens</i>
	Ursidae	<i>Ursus (Thalarcos) maritimus</i>
	Viverridae	<i>Cryptoprocta ferox</i> <i>Cynogale bennettii</i> <i>Eupleres goudotii</i> (major)
		<i>Fossa fossa</i> <i>Hemigalus derbyanus</i>
CETACEA		<i>Prionodon linsang</i> Species of Cetacea other than--- (a) species specified in Part I of First Schedule; and (b) species a population of which is specified in Part II of First Schedule. Populations of species of Cetacea other than population of which is specified in Part II of First Schedule, other than the population so specified.
CHIROPTERA	Pteropodidae	Dead specimens of <i>Pteropus insularis</i> Dead specimens of <i>Pteropus macroti</i> Dead specimens of <i>Pteropus mariannus</i> Dead specimens of <i>Pteropus molossus</i> Dead specimens of <i>Pteropus phaeocejus</i>  Dead specimens of <i>Pteropus pilosus</i> Dead specimens of <i>Pteropus samoensis</i> Dead specimens of <i>Pteropus tokudae</i> Dead specimens of <i>Pteropus tonganus</i>
EDENTATA	Bradypodidae	<i>Bradypus variegatus</i> ( <i>boliviensis/griseus</i> )
	Myrmecophagidae	<i>Myrmecophaga tridactyla</i> <i>Tamandua tetradactyla chapadensis</i>
MARSUPIALIA	Burramyidae	<i>Burramys parvus</i>
	Macropodidae	<i>Dendrolagus bennettianus</i> <i>Dendrolagus inustus</i> <i>Dendrolagus lumholtzi</i> <i>Dendrolagus ursinus</i>
	Phalangeridae	<i>Phalanger maculatus</i> <i>Phalanger orientalis</i>
MONOTREMATA	Tachyglossidae	All species of <i>Zaglossus</i>
PERISSODACTYLA	Equidae	(Sub-species of <i>Equus hemionus</i> not specified in Part I of First Schedule)
		<i>Equus zebra hartmannae</i>
PHOLIDOTA	Tapiridae	<i>Tapirus terrestris</i>
	Manidae	<i>Manis crassicaudata</i> <i>Manis javanica</i>

PINNIPEDIA	Otarriidae	Manis pentadactyla Species of Arctocephalus not specified in Part I of First Schedule
PRIMATES	Phocidae	All species of Mirounga Species of Primates, including the family Tupaiidae, other than--- (a) species specified in Part I of First Schedule; and (b) species a sub-species of which specified in Part I of Fir: Schedule (Sub-species and species of Primat: sub-species of which is specifie Part I of First Schedule, other sub-species so specified)
PROBOSCIDEA	Elephantidae	Loxodonta africana
RODENTIA	Sciuridae	All species of Ratufa
SIRENIA	Trichechidae	Trichechus senegalensis
TUBULIDENTATA	Orycteropodidae	Orycteropus afer

---

Division 2---Class Aves

Order	Family	Genus, species or sub-species
ANSERIFORMES	Anatidae	Anas aucklandica aucklandica Anas aucklandica chlorotis Anas bernieri Branta ruficollis Coscoroba coscoroba Cygnus columbianus (bewickii) jank Cygnus melanocoryphus Dendrocygna arborea  Oxyura leucocephala Sarkidiornis melanotos
APODIFORMES	Trochilidae	Species of Trochilidae not specifi Part I of Schedule I
CICONIIFORMES	Balaenicipitidae Ciconiidae Phoenicopteridae Threskiornithidae	Balaeniceps rex Ciconia nigra All species of Phoenicopteridae Eudocimus ruber Geronticus calvus Platalea leucorodia
COLUMBIFORMES	Columbidae	Gallicolumba luzonica
CORACIIFORMES	Bucerotidae	All species of Goura Aceros narcondami (Sub-species of Buceros bicornis. than Buceros bicornis homrai) Buceros hydrocorax hydrocorax Buceros rhinoceros rhinoceros
CUCULIFORMES	Musophagidae	Tauraco (Gallirex) porphyreolophus
FALCONIFORMES		Tauraco corythaix Species of Falconiformes other than (a) species specified in Part I of First Schedule; and (b) species a sub-species of which specified in Part I of Fir: Schedule (c) species of the family Cathar: (Sub-species of species of Falconi

		a sub-species of which is specified in Part I of First Schedule, other than sub-species so specified)
GALLIFORMES	Phasianidae	Argusianus argus Cyrtonyx montezumae montezumae  Francolinus ochropectus  Francolinus swierstrai Gallus sonneratii Ithaginis cruentus Pavo muticus Polyplectron bicalcaratum  Polyplectron germaini Polyplectron malacense
GRUIFORMES	Gruidae	Species of Gruidae other than--- (a) species specified in Part I of First Schedule; and (b) species a sub-species of which is specified in Part I of First Schedule (Sub-species of species of Gruidae a sub-species of which is specified in Part I of First Schedule, other than sub-species so specified)
	Otididae	Species of Otididae not specified in Part I of First Schedule
	Pedionomidae	Pedionomus torquatus
	Rallidae	Gallirallus australis hectori
	Turnicidae	Turnix melanogaster
PASSERIFORMES	Cotingidae	All species of Rupicola
	Emberizidae	Gubernatrix cristata Paroaria capitata Paroaria coronata Poephila cincta cincta Carduelis (Spinus) yarrellii Pseudochelidon sirintarae Niltava (Muscicapa) ruecki (All species of Paradisaeidae)
	Estrildidae	Pitta brachyura nympha
	Fringillidae	
	Hirundinidae	
	Muscicapidae	
	Paradisaeidae	
	Pittidae	
PSITTACIFORMES		Species of PSITTACIFORMES, other than (a) species specified in Part I of First Schedule; and (b) species and sub-species of which is specified in Part I of First Schedule; and (c) Melopsittacus undulatus, Nymphicus hollandicus and Psittacula krameri (Sub-species of species of PSITTACIFORMES a sub-species of which is specified in Part I of First Schedule, other than sub-species so specified)
RHEIFORMES	Rheidae	Rhea americana albescens
SPHENISCIFORMES	Spheniscidae	Spheniscus demersus
STRIGIFORMES		Species of STRIGIFORMES, other than (a) species specified in Part I of First Schedule; and (b) species a sub-species of which is specified in Part I of First Schedule

		Schedule
		(Sub-species of species of STRIGIF... a sub-species of which is specif. Part I of First Schedule, other sub-species so specified)
TINAMIFORMES	Tinamidae	Rhynchotus rufescens maculicollis
		Rhynchotus rufescens pallescens
		Rhynchotus rufescens rufescens

-----  
Division 3---Class Reptilia  
-----

Order	Family	Genus, species or sub-species
CROCODYLIA		Species of Crocodylia (Alligatorid: Crocodylidae, Gavialidae), other than--- (a) species specified in Part I o Part II of First Schedule; (b) species a sub-species of whi specified in Part I of Fir: Schedule (Sub-species of species or populat. of species a sub-species or popu of which is specified in Part I o Part II of First Schedule, other sub-species or population so specified)
SAURIA	Agamidae	All species of Uromastyx
	Chamaeleonidae	All species of Bradypodion (Chamae: All species of Chamaeleo
	Cordylidae	All species of Cordylus
	Gekkonidae	All species of Pseudocordylus Cyrtodactylus serpensinsula
	Helodermatidae	All species of Phelsuma All species of Heloderma
	Iguanidae	Amblyrhynchus cristatus All species of Conolophus All species of Iguana Phrynosoma coronatum blainvillei
	Lacertidae	Podarcis lilfordi Podarcis pityusensis
	Teiidae	Cnemidophorus hyperythrus  Crocodylurus lacertinus Dracaena guianensis
	Varanidae	All species of Tupinambis Species of Varanus not specified in I of First Schedule
SERPENTES	Boidae	Species of Boidae, other than--- (a) species specified in Part I o First Schedule; and (b) species a sub-species of whi specified in Part I of Fir: Schedule (Sub-species of species of Boidae .

		sub-species of which is specified Part I of First Schedule, other sub-species so specified)
	Colubridae	Clelia clelia (Pseudoboa cloelia) Cyclagras (Hydrodynastes) gigas  Elachistodon westermanni
TESTUDINATA	Elapidae Dermatemydidae Emydidae Pelomedusidae  Testudinidae	Hoplocephalus bungaroides Dermatemys mawii Clemmys muhlenbergi Erymnochelys (Podocnemis) madagascariensis Peltocephalus (Podocnemis) dumeril. All species of Podocnemis Species of Testudinidae not specif. Part I of First Schedule

Division 4---Class Amphibia

Order	Family	Genus, species or sub-species
CAUDATA	Ambystomidae	Ambystoma dumerilii Ambystoma mexicanum
ANURA	Bufonidae Dendrobatidae  Myobatrachidae Ranidae	Bufo retiformis All species of Dendrobates All species of Phyllobates All species of Rheobatrachus Rana hexadactyla Rana tigerina

Division 5---Class Pisces

Order	Family	Genus, species or sub-species
ACIPENSERIFORMES	Acipenseridae	Acipenser oxyrhynchus
ATHERINIFORMES	Cyprinodontidae	Cynolebias constanciae Cynolebias marmoratus  Cynolebias minimus  Cynolebias opalescens  Cynolebias spendens
CERATODIFORMES	Poeciliidae Ceratodidae	Xiphonphorus couchianus Neoceratodus forsteri
COELACANTHIFORMES	Coelacanthidae	Latimeria chalumnae
CYPRINIFORMES	Cyprinidae	Caecobarbus geertsi
OSTEOGLOSSIFORMES	Osteoglossidae	Arapaima gigas

Division 6---Class Insecta

Order	Family	Genus, species or sub-species
LEPIDOPTERA	Papilionidae	All species of Bhutanitis

Species of Ornithoptera (sensu D'Al  
 other than species specified in  
 of Schedule I

Parnassius apollo

All species of Teinopalpus

All species of Trogonoptera (sensu  
 D'Abrera)

All species of Troides (sensu D'Ab.

Division 7---Class Arachnida

Order	Family	Genus, species or sub-species
ARANEAE	Theraphosidae	Brachypelma smithi

Division 8---Class Annelida

Order	Family	Genus, species or sub-species
ARHYNCHOBDELLAE	Hirudinidae	Hirudo medicinalis

Division 9---Class Mollusca

Order	Family	Genus, species or sub-species
UNIONOIDA	Unionidae	Cyprogenia aberti Epioblasma (Dysnomia) torulosa ran  Fusconaia subrotunda Lampsilis brevicula
STYLOMMATOPHORA	Camaenidae	Lexingtonia dolabelloides Pleurobema clava Papustyla (Papuina) pulcherrima
VENEROIDA	Paryphantidae Tridacnidae	All species of New Zealand Paryphan All species of Tridacnidae

Division 10---Class Anthozoa

Order	Family	Genus, species or sub-species
ANTIPATHARIA		All species of ANTIPATHARIA
SCLERACTINIA	Acroporidae	All species of Acropora
	Agariciidae	All species of Pavona
	Caryophylliidae	All species of Euphyllia
	Faviidae	All species of Favia
		All species of Platygyra
	Fungiidae	All species of Fungia
		All species of Halomitra
		All species of Polyphyllia
	Merulinidae	All species of Merulina
	Mussidae	All species of Lobophyllia
	Pectiniidae	All species of Pectinia
	Pocilloporidae	All species of Pocillopora
		All species of Seriatopora

All species of Stylophora

---

Division 11---Class Hydrozoa

---

Order	Family	Genus, species or sub-species
ATHECATA	Milleporidae	All species of Millepora

---

Division 12---Class Alcyonaria

---

Order	Family	Genus, species or sub-species
COENOTHECALIA	Helioporidae	All species of Heliopora
STOLONIFERA	Tubiporidae	All species of Tubipora

---

PART II---POPULATIONS OF ANIMALS

Population of animals of the sub-species *Cyrtonyx montezumae mearnsi* outside the

Populations of animals of the species *Vicugna vicugna* (vicuna, vicugna) in part Tarapaca, Chile; or in Pampas Galeras National Reserve and Nuclear Zone, Pedregal Sais Picotani (Province of Azangaro), Sais Tupac Amaru (Province of Jann), and other (Provinces of Arequipa and Cailloma), Peru. For the exclusive purpose of allowing sheared from live vicuas of the populations included in Schedule II, and of items must bear the logotype adopted by the range states of the species, which are signed Manejo de la Vicua, and the selvages either the words VICUNANDES-CHILE or the words of origin.

Population of animals of the genus *Moschus* (musk deer) outside Afghanistan, Bhutan

Population of animals of the species *Ovis canadensis* (bighorn or mountain sheep)

Populations of animals of the family *Tayassuidae* (peccaries) other than populations

Population of animals of the species *Canis lupus* (wolf) outside Bhutan, India, Nepal

Population of animals of any sub-species of the species *Ursus arctos* (other than America and Europe except the U.S.S.R.

Population of animals of the species *Dugon dugong* (dugong) in Australia

## PART III---PLANTS

Family	Genus, species or sub-species
AGAVACEAE	*Agave victoriae-reginae
APOCYNACEAE	*Species of Pachypodium not specified in Part III of Schedule I
ARALIACEAE	Panax quinquefolius (roots only)
ARAUCARIACEAE	*Populations of the species Araucaria araucana outside Chile
ASCLEPIADACEAE	*All species of Ceropegia *Frerea indica
BYBLIDACEAE	*All species of Byblis
CACTACEAE	+All species of Cactaceae not specified in Part III of Schedule I
CEPHALOTACEAE	*Cephalotus follicularis
CYATHEACEAE	*All species of Cyathea
CYCADACEAE	++All species of Cyadaceae not specified in Part III of First Schedule
DIAPENSIACEAE	*Shortia galacifolia
DICKSONIACEAE	*All species of Dicksoniaceae
DIDIEREACEAE	*All species of Didiereaceae
DIOSCOREACEAE	*Dioscorea deltoidea
ERICACEAE	*Kalmia cuneata
EUPHORBIACEAE	*All species of Euphorbia that are succulent
FAGACEAE	*Quercus copeyensis
FOUQUIERIACEAE	*Fouquieria columnaris
LILIACEAE	\$Species of Aloe not specified in Part III of First Schedule
MELIACEAE	*Swietenia humilis
NEPENTHACEAE	*Species of Nepenthes not specified in Part III of First Schedule
ORCHIDACEAE	//Species of Orchidaceae (including subfamilies Apostasioidae and Cyripedioideae), other than--- (a) species specified in Part III of First Schedule; and (b) species a sub-species of which is specified in Part III of First Schedule (c) (sub-species of species of Orchidaceae a sub-species of which is specified in Part I of First Schedule, other than sub-species so specified)
PALMAE	*Areca ipot *Chrysalidocarpus decipiens *Neodypsis decaryi *Phoenix hanceana var. philippinensis *Salacca clemensiana
PORTULACACEAE	*All species of Anacampseros

PRIMULACEAE  
SARRACENIACEAE

\**Lewisia cotyledon*  
\**Lewisia maguirei*  
\**Lewisia serrata*  
\**Lewisia tweedyi*  
\*All species of *Cyclamen*  
\**Darlingtonia californica*

\*Species of *Sarracenia* other than---  
(a) Species specified in Part III of the First Schedule; and  
(b) Species a sub-species of which is specified in Part III of the First Schedule.

(Sub-species of species of *Sarracenia* of which is specified in Part III of the First Schedule, other than the sub-species so specified.

STERCULIACEAE

\**Pterygota excelsa* (*Basiloxylon excelsa*)

THEACEAE  
ZAMIACEAE

\**Camellia chrysantha*  
++Species of *Zamiaceae* not specified in Part III of Schedule I

ZYGOPHYLLACEAE

\**Guaiacum sanctum*

- 
- \* Excludes---  
(a) Seeds, spores and pollen (including pollinia); and  
(b) Tissue cultures and flasks seedling cultures
- + Excludes---  
(a) Seeds and pollen; and  
(b) Tissue cultures and flasks seedling cultures; and  
(c) Fruits and parts and derivatives thereof of naturalised or artificial plants; and  
(d) Separate stem joints (pads) and parts and derivatives thereof of naturalised or artificial plants of the subgenus *Opuntia* species
- ++ Excludes---  
(a) Pollen; and  
(b) Tissue cultures and flasks seedling cultures
- \$ Excludes---  
(a) Seeds and pollen; and  
(b) Tissue cultures and flasks seedling cultures; and  
(c) Separate leaves and parts and derivatives thereof of naturalised or artificial plants
- // Excludes---  
(a) Seeds and pollen (including pollinia); and  
(b) Tissue cultures and flasks seedling cultures; and  
(c) Cut flowers of artificially propagated plants; and  
(d) Fruits and parts and derivatives thereof of artificially propagated plants

-----

Trade In Endangered Species Act 1989 018  
Commenced: 1 Jun 1989  
THIRD SCHEDULE: Species Exploited by Trade

THIRD SCHEDULE

Section 3 (1)

SPECIES EXPLOITED BY TRADE

PART I---ANIMALS

Division 1---Class Mammalia

Order	Family	Genus, species or sub-species			
ARTIODACTYLA	Bovidae	Antilope cervicapra	blackl		
		Boocercus (Tragelaphus/Taurotragus) eurycerus	bongo ant.		
		Bubalus bubalis	buffal		
		Damaliscus lunatus			
		Gazella cuvieri			
		Gazella dorcas			
		Gazella leptoceros			
		Tetracerus quadricornis	antel		
		Tragelaphus spekei	sitati		
		Cervidae	Cervus elaphus barbarus		
			Mazama americana cerasina	deer,	
			Odocoileus virginianus mayensis	deer,	
		CARNIVORA	Hippopotamidae	Hippopotamus amphibius	hippo
				Hyemoschus aquaticus	deer,
Tragulidae	Proteles cristatus		aardw		
	Mustelidae		Eira barbara	tayra	
Galictis vittata (allamandi)			hurona		
Mellivora capensis			badge		
Bassaricyon gabbii			oling		
Bassariscus sumichrasti			`cat		
Nasua nasua (narica)			coati		
Viverridae	Nasua nasua solitaria		coati		
	Potos flavus		kinkaj		
CHIROPTERA	Phyllostomidae		Civettictis (Viverra) civetta	civet	
			Vampyrops lineatus	bat, v	
EDENTATA	Choloepidae		Choloepus hoffmanni	sloth	
		Dasypodidae	Cabassous centralis	armad.	
	Cabassous tatouay (gymnurus)		armad.		
	Myrmecophagidae		Sub-species of Tamandua tetradactyla not specified in Part I of Second Schedule	antea	
	PHOLIDOTA	Manidae	Manis gigantea	pango.	
Manis tetradactyla (longicaudata)			pango.		
Manis tricuspis			pango.		
PINNIPEDIA	Odobenidae	Odobenus rosmarus	walru.		
		RODENTIA	Agouti (Cuniculus) paca	agout.	
Anomaluridae	Anomalurus beecrofti		flyin		
	Anomalurus derbianus		flyin		
	Anomalurus peli		flyin		
		Idiurus macrotis	flyin		

Dasyproctidae	Dasyprocta punctata	agouti
Erethizontidae	Sphiggurus (Coendou) mexicanus	porcupine
Erethizontidae	Sphiggurus (Coendou) spinosus	porcupine
Hystriidae	Hystrix cristata	porcupine
Sciuridae	Epixerus ebii	squirrel
	Sciurus deppei	squirrel

Division 2---Class Aves

Order	Family	Genus, species or sub-species	
ANSERIFORMES	Anatidae	Alopochen aegyptiacus	goose
		Anas acuta	pintail
		Anas capensis	teal
		Anas (Spatula) clypeata	shoveler
		Anas crecca	teal
		Anas penelope	widgeon
		Anas querquedula	garganey
		Aythya (Nyroca) nyroca	duck
		Cairina moschata	duck
		Dendrocygna autumnalis	duck
		Dendrocygna bicolor (fulva)	duck
		Dendrocygna viduata	duck
		Nettion auritus	goose
		Plectropterus gambensis	goose
		Pteronetta (Cairina) hartlaubii	duck
CHARADRIIFORMES	Burhinidae	Burhinus bistriatus	thick-knee
	CICONIFORMES	Ardeidae	Ardea goliath
Bubulcus (Ardeola) ibis			egret
Casmerodius albus (Egretta alba)		heron	
			great egret
			egret
Ciconiidae		Ephippiorhynchus senegalensis	stork
		Leptoptilos crumeniferus	stork
Threskiornithidae		Hagedashia hagedash	hadad
			Lamprolaima rara
		Threskiornis aethiopicus	ibis
COLUMBIFORMES	Columbidae	Columba guinea	pigeon
		Columba (Turturoena) iriditorques	pigeon
		(or Columba malherbii in part)	
		Columba livia	dove
		Columba unicincta	pigeon
		Nesoenas (Columba) mayeri	pigeon
		Oena capensis	
		Streptopelia decipiens	dove
		Streptopelia roseogrisea	dove
		Streptopelia semitorquata	dove
		Streptopelia senegalensis	dove
		Streptopelia turtur	dove
		Streptopelia vinacea	dove
		Treron calva (australis in part)	pigeon
		Treron waalia	pigeon
		Turtur abyssinicus	dove
		Turtur afer	dove
		Turtur (Calopelia) brehmeri (or Calopelia puella)	dove
Turtur (Tympanistria) tympanistria	dove		
CUCULIFORMES	Musophagidae	Corythaeola cristata	turaco
		Crinifer piscator	plantain-eater

FALCONIFORMES	Cathartidae	Musophaga violacea	turaco	
		Tauraco macrorhynchos	turaco	
GALLIFORMES	Cracidae	Sarcoramphus papa	vultu.	
		Crax rubra	curas.	
		Ortalis vetula	chach.	
	Phasianidae	Penelope purpurascens	guan,	
		Penelopina nigra	guan,	
		Agelastes meleagrides	guine.	
		Agriocharis ocellata	turke.	
		Arborophila brunneopectus (orientalis)	partr.	
		Arborophila charltonii	partr.	
		Caloperdix oculea	partr.	
		Lophura erythrophthalma	pheas.	
		Lophura ignita	pheas.	
		Melanoperdix nigra	partr.	
		Polyplectron inopinatum	peaco.	
		Rhizothera longirostris	partr.	
		Rollulus rouloul	partr.	
		Tragopan satyra	tragoj	
PASSERIFORMES		Estrildidae	Amadina fasciata	weave.
			Amandava (Estrilda) subflava (or Sporaeginthus subflavus)	waxbi.
			Estrilda astrild	waxbi.
	Estrilda caerulescens		waxbi.	
	Estrilda melpoda		waxbi.	
	Estrilda troglodytes		waxbi.	
	Lagonosticta (Estrilda) larvata (or Lagonosticta vinacea)		firef.	
	Lagonosticta rara		firef.	
	Lagonosticta rubricata		firef.	
	Lagonosticta rufopicta		firef.	
	Lagonosticta senegala		firef.	
	Lonchura (Spermestes) bicolor		manne.	
	Lonchura (Spermestes) cucullata		manne.	
	Lonchura (Spermestes) fringilloides		manne.	
	Lonchura malabarica (Euodice cantans)		silve.	
	Mandingoa nitidula (Hypargos nitidulus)		twin-	
	Nesocharis capistrata		olive-	
	Nigrita bicolor		negro.	
	Nigrita canicapilla		negro.	
	Nigrita fusconota		negro.	
	Nigrita luteifrons		negro.	
	Ortygospiza atricollis		quail.	
	Parmoptila woodhousei (rubrifrons)		finch.	
	Pholidornis rushiae		tit-h.	
	Pyrenestes ostrinus (frommi/ rothschildi)		seedc.	
	Pytilia hypogrammica		pytil.	
	Pytilia phoenicoptera			
	Spermophaga haematina		blueb.	
	Uraeginthus bengalus (Estrilda bengala)		cordo.	
	Fringillidae		Serinus gularis	seede.
			Serinus leucopygius	seede.
			Serinus mozambicus	canar.
	Icteridae		Xanthopsar flavus	blackl
	Muscicapidae	Bebornis rodericanus	warbl.	
		Tchitrea (Terpsiphone)	flyca.	

		bourbonnensis	
Pittidae		Pitta guajana	pitta
		Pitta gurneyi	pitta
Ploceidae		Amblyospiza albifrons	weave.
		Anomalospiza imberbis	weave.
		Bubalornis albirostris (niger)	weave.
		Euplectes afer (afra)	bishoj
		Euplectes (Coliuspasser) ardens	whydal
		Euplectes hordeaceus	bishoj
		Euplectes (Coliuspasser) macrourus	whydal
		Euplectes orix (franciscanus)	bishoj
		Malimbus cassini	maliml
		Malimbus malimbicus	maliml
		Malimbus nitens	maliml
		Malimbus rubriceps (Anaplectes melanotis)	weave.
		Malimbus rubricollis	maliml
		Malimbus scutatus	maliml
		Passer griseus (diffusus/gongonensis/ suahelicus/swainsonii)	sparr.
		Petronia dentata	sparr.
		Plocepasser superciliosus	sparr.
		Ploceus albinucha	weave.
		Ploceus aurantius	weave.
		Ploceus cucullatus (nigriceps)	weave.
		Ploceus heuglini (atrogularis)	weave.
		Ploceus luteolus (Sitagra luteola)	weave.
		Ploceus melanocephalus (Sitagra melanocephala)	weave.
		Ploceus nigerrimus	weave.
		Ploceus nigricollis	weave.
		Ploceus pelzelni	weave.
		Ploceus preussi	weave.
		Ploceus superciliosus	weave.
		Ploceus tricolor	weave.
		Ploceus velatus (katangae/reichardi/ ruweti/vitellinus)	weave.
		Quelea erythrops	quele.
		Sporopipes frontalis	weave.
		Vidua chalybeata (amauropteryx/ centralis/neumanii/ okavangoensis/ultramarina/ or Hypochoera chalybeata)	indig.
		Vidua interjecta	whydal
		Vidua larvaticola	
		Vidua macroura	whydal
		Vidua paradisaea (orientalis)	whydal
		Vidua raricola	
		Vidua togoensis	whydal
		Vidua wilsoni	indig.
PICIFORMES	Ramphastidae	Ramphastos sulfuratus	touca.
PSITTACIFORMES	Psittacidae	Psittacula krameri	parak.
RHEIFORMES	Rheidae	Sub-species of Rhea americana not specified in Part I of Second Schedule.	rhea,

Order	Family	Genus, species or sub-species
SERPENTES	Colubridae	Atretium schistosum
		Cerberus rhynchops
	Elapidae	Ptyas mucosus
		Xenochrophis (Natrix) piscator
		Micrurus diastema
		Micrurus nigrocinctus
		Naja naja
		Ophiophagus hannah
	Viperidae	Agkistrodon bilineatus
		Bothrops asper
		Bothrops nasutus
		Bothrops nummifer
		Bothrops ophryomegas
		Bothrops schlegelii
Crotalus durissus		
Vipera russellii		
TESTUDINATA	Pelomedusidae	Pelomedusa subrufa
		Pelusios adansonii
		Pelusios castaneus
		Pelusios gabonensis (subniger)
		Pelusios niger
	Trionychidae	Trionyx triunguis

PART II---PLANTS

---

Family	Genus, species or sub-species
Gnetaceae	Gnetum montanum
Magnoliaceae	Talauma hodgsonii
Papaveraceae	Meconopsis regia
Podocarpaceae	Podocarpus neriifolius
Tetracentraceae	Tetracentron sinense

---