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STATUTORY INSTRUMENTS

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**2023 No. 106**

**WILDLIFE**

The Trade in Endangered Species of Wild  
Fauna and Flora (Council Regulation (EC)  
No 338/97) (Amendment) Regulations 2023

|                               |         |                           |
|-------------------------------|---------|---------------------------|
| <i>Made</i>                   | - - - - | <i>1st February 2023</i>  |
| <i>Laid before Parliament</i> |         | <i>2nd February 2023</i>  |
| <i>Coming into force</i>      | - -     | <i>23rd February 2023</i> |

The Secretary of State makes these Regulations in exercise of the powers conferred by Articles 18(3) and 19(5) of Council Regulation (EC) No 338/97 on the protection of species of wild fauna and flora by regulating trade therein<sup>(1)</sup>(“the Council Regulation”).

The Secretary of State has consulted the scientific authority<sup>(2)</sup> in accordance with Article 19(5) of the Council Regulation.

**Citation and commencement**

1.—(1) These Regulations may be cited as the Trade in Endangered Species of Wild Fauna and Flora (Council Regulation (EC) No 338/97) (Amendment) Regulations 2023.

(2) These Regulations come into force on 23rd February 2023.

**Amendments to the Annex to Council Regulation (EC) No 338/97**

2. The Annex to Council Regulation (EC) No 338/97 on the protection of species of wild fauna and flora by regulating trade therein<sup>(3)</sup> is amended as follows.

**Amendments to Notes on interpretation of Annexes A, B, C and D**

3. In the section headed “Notes on interpretation of Annexes A, B, C and D”—

- (a) in the opening sentence of paragraph 12, for the words “thereof are also included” substitute “thereof, are always included”;
- (b) in the annotations following paragraph 12—

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(1) EUR 1997/338. Article 18 was substituted by S.I. 2020/1395. Article 19 was amended by that instrument.

(2) See Article 2(q) of EUR 1997/338 for the definition of “scientific authority”.

(3) The Annex was amended by S.I. 2021/54 and 2021/645.

- (i) in annotation #1, in subparagraph (b), omit “, in solid or liquid media,”;
- (ii) in annotation #4—
  - (aa) in subparagraph (b), omit “, in solid or liquid media,”;
  - (bb) after subparagraph (f) insert—
    - “(g) finished products packaged and ready for retail trade of cosmetics containing artificially propagated parts and derivatives of *Bletilla striata*, *Cycnoches cooperi*, *Gastrodia elata*, *Phalaenopsis amabilis* or *P. lobbii*.”;
- (iii) for annotation #10 substitute—
 

“#10 All parts, derivatives and finished products, except re-export of finished musical instruments, finished musical instrument accessories and finished musical instrument parts.
- (iv) in annotation #14—
  - (aa) in subparagraph (b), omit “, in solid or liquid media,”;
  - (bb) in subparagraph (f), for “trade,” substitute “trade;”;
- (c) in paragraph 13—
  - (i) for the definition of “10kg per shipment” substitute—
 

“For the term ‘10kg per shipment’ the 10kg limit should be interpreted as referring to the weight of wood of each individual annotated species of genus *Dalbergia* or *Guibourtia* present in the items in the shipment. The 10kg limit is to be assessed only against the individual weights of the portions of wood of each individual annotated species contained in each item of the shipment, and not against the total weight of the shipment. The total weights present of each individual annotated species are considered individually to determine whether a CITES permit or certificate is required for each individual annotated species, and weights of different individual annotated species are not added together for this purpose.”;
  - (ii) in the definition of “transformed wood”—
    - (aa) after “grooved,” insert “rebated, chamfered,”;
    - (bb) after “beaded” insert “, moulded, rounded”;
- (d) in paragraph 14, omit “, in solid or liquid media,”.

**Amendments to table which sets out Annexes A to C**

- 4. The table which sets out Annexes A to C is amended in accordance with regulations 5 and 6.

**Amendments relating to FAUNA in Annexes A to C**

- 5.—(1) Under the heading relating to ARTIODACTYLA, in the rows relating to **Bovidae**, after the row relating to *Pantholops hodgsonii* (II) insert—

|  |  |                                      |  |  |
|--|--|--------------------------------------|--|--|
|  |  | “ <i>Philantomba maxwelli</i> (II)”. |  |  |
|--|--|--------------------------------------|--|--|

- (2) Under the heading relating to CARNIVORA, in the rows relating to **Lutrinae**, for “*Aonyx cinerea* (I)” substitute “*Aonyx cinereus* (I)”.
- (3) Under the heading relating to PERISSODACTYLA—

- (a) in the rows relating to **Equidae**, in the row relating to *Equus hemionus* (I/II), after “*Equus hemionus hemionus*” insert “, *Equus hemionus luteus*”;
- (b) in the rows relating to **Rhinocerotidae**, for the row relating to *Ceratotherium simum simum* (II) substitute—

|  |  |   |  |                             |
|--|--|---|--|-----------------------------|
|  |  | <p>“<i>Ceratotherium simum simum</i> (II)</p> <p>(Only the populations of Eswatini, Namibia and South Africa; all other populations are included in Annex A.</p> <p>For the populations of Eswatini and South Africa, for the exclusive purpose of allowing international trade in live animals to appropriate and acceptable destinations and trade in hunting trophies.</p> <p>For the population of Namibia, for the exclusive purpose of allowing international trade in live animals for in-situ conservation and only within the natural and historical range of <i>Ceratotherium simum</i> in Africa.</p> <p>All other specimens of species included</p> |  | Southern white rhinoceros”. |
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|  |  | in Annex A and the trade in them shall be regulated accordingly. |  |  |
|--|--|--|--|--|

(4) Under the heading relating to PRIMATES—

- (a) in the rows relating to **Atelidae**, omit the row relating to *Alouatta coibensis* (I);
- (b) in the rows relating to **Hominidae**, after the row relating to *Pongo pygmaeus* (I) insert—

|  |                                 |  |  |                      |
|--|---------------------------------|--|--|----------------------|
|  | <i>“Pongo tapanuliensis</i> (I) |  |  | Tapanuli orangutan”. |
|--|---------------------------------|--|--|----------------------|

(5) Under the heading relating to RODENTIA, in the rows relating to **Sciuridae**, for the row relating to *Cynomys mexicanus* (I) substitute—

|  |  |                                |  |                       |
|--|--|--------------------------------|--|-----------------------|
|  |  | <i>“Cynomys mexicanus</i> (II) |  | Mexican prairie dog”. |
|--|--|--------------------------------|--|-----------------------|

(6) Under the heading relating to ANSERIFORMES, in the rows relating to **Anatidae**, for the row relating to *Branta canadensis leucopareia* (I) substitute—

|  |  |  |  |                           |
|--|--|--|--|---------------------------|
|  |  | <i>“Branta canadensis leucopareia</i> (II) |  | Aleutian cackling goose”. |
|--|--|--|--|---------------------------|

(7) Under the heading relating to FALCONIFORMES—

- (a) in the rows relating to **Accipitridae**, for *“Chondrohierax uncinatus wilsonii* (I)” substitute *“Chondrohierax wilsonii* (I)”;
- (b) in the rows relating to **Falconidae**, omit the row relating to *Falco pelegrinoides* (I).

(8) Under the heading relating to GRUIFORMES—

- (a) in the rows relating to **Gruidae**—
  - (i) after the row relating to *Gruidae* spp. (II) insert—

|  |  |  |  |                            |
|--|--|--|--|----------------------------|
|  | <i>“Antigone canadensis nesiotis</i> (I) |  |  | Cuban sandhill crane       |
|  | <i>Antigone canadensis pulla</i> (I)     |  |  | Mississippi sandhill crane |
|  | <i>Antigone vipio</i> (I)                |  |  | White-necked crane”;       |

- (ii) omit the rows relating to *Grus canadensis* (I/II), *Grus leucogeranus* (I) and *Grus vipio* (I);
- (iii) after the row relating to *Grus nigricollis* (I) insert—

|  |                                       |  |  |                  |
|--|---------------------------------------|--|--|------------------|
|  | <i>“Leucogeranus leucogeranus</i> (I) |  |  | Siberian crane”; |
|--|---------------------------------------|--|--|------------------|

(b) in the rows relating to **Rallidae**, for “*Gallirallus sylvestris* (I)” substitute “*Hypotaenidia sylvestris* (I)”.

(9) Under the heading relating to PASSERIFORMES—

(a) in the rows relating to **Emberizidae**—

(i) after the row relating to *Gubernatrix cristata* (II) insert—

|  |  |  |                                       |                 |
|--|--|--|---------------------------------------|-----------------|
|  |  |  | “ <i>Melopyrrha nigra</i> (III Cuba)” | Cuban bullfinch |
|--|--|--|---------------------------------------|-----------------|

(ii) after the row relating to *Tangara fastuosa* (II) insert—

|  |  |  |                                     |                   |
|--|--|--|-------------------------------------|-------------------|
|  |  |  | “ <i>Tiaris canorus</i> (III Cuba)” | Cuban grassquit”; |
|--|--|--|-------------------------------------|-------------------|

(b) in the rows relating to **Muscicapidae**, after the row relating to *Acrocephalus rodericanus* (III Mauritius) insert—

|  |  |                                 |  |                      |
|--|--|---------------------------------|--|----------------------|
|  |  | “ <i>Copysyhalbaricus</i> (II)” |  | White-rumped shama”; |
|--|--|---------------------------------|--|----------------------|

(c) in the rows relating to **Pycnonotidae**, for the row relating to *Pycnonotus zeylanicus* (II) substitute—

|  |   |  |  |                       |
|--|---|--|--|-----------------------|
|  | “ <i>Pycnonotus zeylanicus</i> (I)”<br><br>(This inclusion has effect at the beginning of 25th November 2023) | <i>Pycnonotus zeylanicus</i> (II)<br><br>(This inclusion ceases to have effect at the end of 24th November 2023) |  | Straw-headed bulbul”. |
|--|---|--|--|-----------------------|

(10) Under the heading relating to PROCELLARIIFORMES, in the rows relating to **Diomedidae**, for the row relating to *Phoebastria albatrus* (I) substitute—

|  |  |                                     |  |                          |
|--|--|-------------------------------------|--|--------------------------|
|  |  | “ <i>Phoebastria albatrus</i> (II)” |  | Short-tailed albatross”. |
|--|--|-------------------------------------|--|--------------------------|

(11) Under the heading relating to PSITTACIFORMES, in the rows relating to **Psittacidae**—

(a) after the row relating to *Ognorhynchus icterotis* (I) insert—

|  |                                       |  |  |  |
|--|---------------------------------------|--|--|--|
|  | “ <i>Pezoporus flaviventris</i> (I)”; |  |  |  |
|--|---------------------------------------|--|--|--|

(b) for “*Psephotus chrysopterygius* (I)” substitute “*Psephotellus chrysopterygius* (I)”;

(c) for “*Psephotus dissimilis* (I)” substitute “*Psephotellus dissimilis* (I)”;

(d) for “*Psephotus pulcherrimus* (I)” substitute “*Psephotellus pulcherrimus* (I)”.

(12) Under the heading relating to CROCODYLIA—

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- (a) in the rows relating to **Alligatoridae**, for the row relating to *Caiman latirostris* (I) substitute—

|  |  |  |  |                        |
|--|--|--|--|------------------------|
|  | <p><i>“Caiman latirostris</i> (I)</p> <p>(Except for the populations of Argentina and Brazil, which are included in Annex B. The population of Brazil is subject to a zero export quota for wild specimens traded for commercial purposes)</p> |  |  | Broad-snouted caiman”; |
|--|--|--|--|------------------------|

- (b) in the rows relating to **Crocodylidae**, for the row relating to *Crocodylus porosus* (I) substitute—

|  |  |  |  |                       |
|--|--|--|--|-----------------------|
|  | <p><i>“Crocodylus porosus</i> (I)</p> <p>(Except for the populations of Australia, Indonesia, Malaysia, Papua New Guinea and the Philippines, which are included in Annex B. For Malaysia, wild harvest restricted to the State of Sarawak and a zero quota for wild specimens for the other States of Malaysia (Sabah and Peninsular Malaysia), with no change in the zero quota unless approved by the CITES Parties. For the Philippines,</p> |  |  | Estuarine crocodile”. |
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|  |  |  |  |  |
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|  | population of the Palawan Islands only and with a zero export quota for wild specimens traded for commercial purposes) |  |  |  |
|--|--|--|--|--|

(13) Under the heading relating to SAURIA—

(a) in the rows relating to **Agamidae**—

(i) after the row relating to *Cophotis dumbara* (I) insert—

|  |  |  |  |                            |
|--|--|--|--|----------------------------|
|  |  |  | <i>“Ctenophorus spp. (III Australia)</i> | Comb-bearing dragons       |
|  |  |  | <i>Intellagama spp. (III Australia)</i>  | Australian water dragons”; |

(ii) after the row relating to *Lyriocephalus scutatus* (II) insert—

|  |  |                                      |  |                        |
|--|--|--------------------------------------|--|------------------------|
|  |  | <i>“Physignathus cocincinus (II)</i> |  | Chinese water dragon”; |
|--|--|--------------------------------------|--|------------------------|

(iii) after the row relating to *Saara* spp. (II) insert—

|  |  |  |   |                   |
|--|--|--|---|-------------------|
|  |  |  | <i>“Tympanocryptis spp. (III Australia)</i> | Earless dragons”; |
|--|--|--|---|-------------------|

(b) in the rows relating to **Gekkonidae**—

(i) before the row relating to *Cnemaspis psychedelica* (I) insert —

|  |  |  |   |                   |
|--|--|--|---|-------------------|
|  |  |  | <i>“Carphodactylus laevis (III Australia)</i> | Chameleon gecko”; |
|--|--|--|---|-------------------|

(ii) after the row relating to *Cnemaspis psychedelica* (I) insert —

|  |  |  |  |                        |
|--|--|--|--|------------------------|
|  |  | <i>“Cyrtodactylus jeyporensis (II)</i> |  | Jeypore Indian gecko”; |
|--|--|--|--|------------------------|

(iii) after the row relating to *Naultinus* spp. (II) insert—

|  |  |  |  |  |
|--|--|--|--|--|
|  |  |  | <i>“Nephrurus spp. (III Australia)</i> | Knob-tailed geckos   |
|  |  |  | <i>Orraya occultus (III Australia)</i> | McIlwraith leaf-tailed gecko, long-necked northern leaf-tailed gecko”. |

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(iv) after the row relating to *Phelsuma guentheri* (II) insert—

|  |  |  |   |                                 |
|--|--|--|---|---------------------------------|
|  |  |  | “ <i>Phyllurus</i> spp. (III Australia) | Australian leaf-tailed geckos”; |
|--|--|--|---|---------------------------------|

(v) after the row relating to *Rhoptropella* spp. (II) insert—

|  |  |  |  |                      |
|--|--|--|--|----------------------|
|  |  |  | “ <i>Saltuarius</i> spp. (III Australia) | Leaf-tailed geckos”; |
|--|--|--|--|----------------------|

(vi) after the row relating to *Sphaerodactylus torrei* (III Cuba) insert—

|  |  |                                 |  |                    |
|--|--|---------------------------------|--|--------------------|
|  |  |                                 | “ <i>Strophurus</i> spp. (III Australia) | Phasmid geckos     |
|  |  | <i>Tarentola chazaliae</i> (II) |  | Helmethead gecko”; |

(vii) after the row relating to *Tukutuku* spp. (III New Zealand) insert—

|  |  |  |  |                       |
|--|--|--|--|-----------------------|
|  |  |  | “ <i>Underwoodisaurus</i> spp. (III Australia) | Thick-tailed geckos”; |
|--|--|--|--|-----------------------|

(viii) after the row relating to *Uroplatus* spp. (II) insert—

|  |  |  |   |                              |
|--|--|--|---|------------------------------|
|  |  |  | “ <i>Uvidicolus sphyrurus</i> (III Australia) | Border thick-tailed geckos”; |
|--|--|--|---|------------------------------|

(c) in the rows relating to **Iguanidae**, omit the rows from the row relating to *Phrynosoma blainvillii* (II) to the row relating to *Phrynosoma wigginsii* (II);

(d) after the rows relating to **Lanthanotidae** insert—

|                         |  |                             |  |                  |
|-------------------------|--|-----------------------------|--|------------------|
| <b>“Phrynosomatidae</b> |  |                             |  |                  |
|                         |  | <i>Phrynosoma</i> spp. (II) |  | Horned lizards”; |

(e) in the rows relating to **Scincidae**, after the row relating to *Corucia zebrata* (II) insert—

|  |                                 |  |  |                                  |
|--|---------------------------------|--|--|----------------------------------|
|  |                                 |  | “ <i>Egernia</i> spp. (III Australia)        | Rock or spiny-tailed skinks      |
|  | <i>Tiliqua adelaidensis</i> (I) |  |  | Adelaide pygmy blue-tongue skink |
|  |                                 |  | <i>Tiliqua multifasciata</i> (III Australia) | Centralian blue-tongued skink    |
|  |                                 |  | <i>Tiliqua nigrolutea</i> (III Australia)    | Blotched blue-tongued skink      |



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|  |  |  | <i>Tiliqua occipitalis</i><br>(III Australia)           | Western blue-tongued skink    |
|  |  |  | <i>Tiliqua rugosa</i><br>(III Australia)                | Shingleback lizard            |
|  |  |  | <i>Tiliqua scincoides intermedia</i><br>(III Australia) | Northern blue-tongued skink   |
|  |  |  | <i>Tiliqua scincoides scincoides</i><br>(III Australia) | Eastern blue-tongued lizard”. |

(14) Under the heading relating to SERPENTES—

(a) in the rows relating to **Boidae**—

(i) for the row relating to *Epicrates inornatus* (I) substitute—

|  |  |                                     |  |                       |
|--|--|-------------------------------------|--|-----------------------|
|  |  | <i>“Epicrates inornatus</i><br>(II) |  | Puerto Rican<br>boa”; |
|--|--|-------------------------------------|--|-----------------------|

(ii) for “*Epicrates monensis* (I)” substitute “*Chilabothrus monensis* (I)”;

(iii) for “*Epicrates subflavus* (I)” substitute “*Chilabothrus subflavus* (I)”;

(b) in the rows relating to **Pythonidae**—

(i) in the row relating to Pythonidae spp. (II) for “subspecies” substitute “species”;

(ii) for “*Python molurus molurus* (I)” substitute “*Python molurus* (I)”;

(c) in the rows relating to **Viperidae**—

(i) after the row relating to *Daboia russelii* (III India) insert—

|  |  |  |  |                      |
|--|--|--|--|----------------------|
|  |  | <i>“Montivipera wagneri</i><br>(II)        |  | Wagner’s viper       |
|  |  | <i>Protobothrops mangshanensis</i><br>(II) |  | Mangshan pit-viper”; |

(ii) omit the rows relating to *Trimeresurus mangshanensis* (II) and *Vipera wagneri* (II).

(15) Under the heading relating to TESTUDINES—

(a) In the rows relating to **Chelidae**, after the row relating to *Chelodina mccordi* (II) insert—

|  |  |                                   |  |                           |
|--|--|-----------------------------------|--|---------------------------|
|  |  | <i>“Chelus fimbriata</i><br>(II)  |  | Matamata turtle           |
|  |  | <i>Chelus orinocensis</i><br>(II) |  | Orinoco matamata turtle”; |

(b) in the rows relating to **Chelydridae**, for the rows relating to *Chelydra serpentina* (III United States of America) and *Macrochelys temminckii* (III United States of America) substitute—

|  |  |                                     |  |                        |
|--|--|-------------------------------------|--|------------------------|
|  |  | <i>“Chelydra serpentina</i><br>(II) |  | Common snapping turtle |
|--|--|-------------------------------------|--|------------------------|

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|--|--|-------------------------------------|--|-----------------------------|
|  |  | <i>Machrochelys temminckii</i> (II) |  | Alligator snapping turtle”; |
|--|--|-------------------------------------|--|-----------------------------|

(c) in the rows relating to **Emydidae**, after the row relating to *Graptemys* spp. (III United States of America) insert—

|  |  |                                  |  |                        |
|--|--|----------------------------------|--|------------------------|
|  |  | “ <i>Graptemys barbouri</i> (II) |  | Barbours map turtle    |
|  |  | <i>Graptemys ernsti</i> (II)     |  | Escambia map turtle    |
|  |  | <i>Graptemys gibbonsi</i> (II)   |  | Pascagoula map turtle  |
|  |  | <i>Graptemys pearlensis</i> (II) |  | Pearl river map turtle |
|  |  | <i>Graptemys pulchra</i> (II)    |  | Alabama map turtle”;   |

(d) In the rows relating to **Geoemydidae**—

(i) for the row relating to *Batagur kachuga* (II) substitute—

|  |                              |  |  |                           |
|--|------------------------------|--|--|---------------------------|
|  | “ <i>Batagur kachuga</i> (I) |  |  | Red-crowned roof turtle”; |
|--|------------------------------|--|--|---------------------------|

(ii) in the row relating to *Cuora* spp. (II), omit “*C. galbinifrons*” from the second column (corresponding with Annex B);

(iii) after the row relating to *Cuora boureti* insert—

|  |                                 |  |  |                          |
|--|---------------------------------|--|--|--------------------------|
|  | “ <i>Cuora galbinifrons</i> (I) |  |  | Indochinese box turtle”; |
|--|---------------------------------|--|--|--------------------------|

(iv) after the row relating to *Leucocephalon yuwonoi* (II) insert—

|  |  |                                       |  |  |
|--|--|---------------------------------------|--|--|
|  |  | “ <i>Malayemys khoratensis</i> (II)”; |  |  |
|--|--|---------------------------------------|--|--|

(v) after the row relating to *Pangshura tecta* (I) insert —

|  |  |                                 |  |                            |
|--|--|---------------------------------|--|----------------------------|
|  |  | “ <i>Rhinoclemmys</i> spp. (II) |  | Neotropical wood turtles”; |
|--|--|---------------------------------|--|----------------------------|

(e) before the rows relating to **Platysternidae** insert—

|                        |  |  |  |                                      |
|------------------------|--|--|--|--------------------------------------|
| “ <b>Kinosternidae</b> |  |  |  | <b>American mud and musk turtles</b> |
|------------------------|--|--|--|--------------------------------------|

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|  |                              | <i>Claudius angustatus</i> (II)  |  | Narrow-bridged musk turtle |
|  |                              | <i>Kinosternon</i> spp. (II)<br><br>(Except for the species included in Annex A) |  | Mud turtles                |
|  | <i>Kinosternon cora</i> (I)  |  |  | Cora mud turtle            |
|  | <i>Kinosternon vogti</i> (I) |  |  | Vallarta mud turtle        |
|  |                              | <i>Staurotypus salvinii</i> (II)   |  | Giant musk turtle          |
|  |                              | <i>Staurotypus triporcatus</i> (II)  |  | Mexican musk turtle        |
|  |                              | <i>Sternotherus</i> spp. (II)  |  | Musk turtles”;             |

(f) in the rows relating to **Trionychidae**—

(i) for the rows from the row relating to *Apalone ferox* (III United States of America) to the row relating to *Apalone spinifera* (III United States of America) substitute—

|  |  |   |  |                     |
|--|--|---|--|---------------------|
|  |  | “ <i>Apalone</i> spp. (II)<br><br>(Except for the subspecies included in Annex A) |  | Softshell turtles”; |
|--|--|---|--|---------------------|

(ii) for the row relating to *Nilssonina leithii* (II) substitute—

|  |                                |  |  |                            |
|--|--------------------------------|--|--|----------------------------|
|  | <i>“Nilssonina leithii</i> (I) |  |  | Leith’s softshell turtle”. |
|--|--------------------------------|--|--|----------------------------|

(16) Under the heading relating to ANURA—

(a) in the rows relating to **Bufonidae**—

(i) after the row relating to *Nimbaphrynoides* spp. (I) insert—

|  |                                      |  |  |                 |
|--|--------------------------------------|--|--|-----------------|
|  | <i>“Sclerophrys channingi</i> (I)    |  |  |                 |
|  | <i>Sclerophrys superciliaris</i> (I) |  |  | Cameroon toad”; |

(ii) omit the rows relating to *Amietophrynus channingi* (I) and *Amietophrynus superciliaris* (I);

(b) after the rows relating to **Calyptocephalellidae**, insert—

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|                       |  |                                   |  |                    |
|-----------------------|--|-----------------------------------|--|--------------------|
| <b>“Centrolenidae</b> |  |                                   |  | <b>Glass frogs</b> |
|                       |  | <i>Centrolenidae</i><br>spp. (II) |  | Glass frogs”;      |

(c) in the rows relating to **Dendrobatidae**, after the row relating to *Oophaga* spp. (II) insert—

|  |  |  |  |  |
|--|--|--|--|--|
|  |  | <i>“Paruwrobates andinus</i> (II)      |  |  |
|  |  | <i>Paruwrobates erythromos</i> (II) ”; |  |  |

(d) in the rows relating to **Hylidae**, for the row relating to *Agalychnis* spp. (II) substitute—

|  |  |  |  |                                |
|--|--|--|--|--------------------------------|
|  |  | <i>“Agalychnis annae</i> (II)  |  | Blue-sided leaf frog           |
|  |  | <i>Agalychnis callidryas</i> (II)  |  | Red-eyed tree frog             |
|  |  | <i>Agalychnis lemur</i> (II)<br><br>(A zero annual export quota has been established for specimens removed from the wild and traded for commercial purposes) |  | Lemur tree frog                |
|  |  | <i>Agalychnis moreleti</i> (II)  |  | Morelet’s tree frog            |
|  |  | <i>Agalychnis saltator</i> (II)  |  | Parachuting red-eyed leaf frog |
|  |  | <i>Agalychnis spurrelli</i> (II)   |  | Gliding tree frog              |
|  |  | <i>Agalychnis terranova</i> (II)   |  | Colombian red-eyed tree frog”. |

(17) Under the heading relating to CAUDATA, in the rows relating to **Salamandridae**, after the row relating to *Echinotriton maxiquadratus* (II) insert—

|  |  |   |  |                  |
|--|--|---|--|------------------|
|  |  | <i>“Laotriton laoensis</i> (II)<br><br>(A zero export quota has been established for wild specimens |  | Lao warty newt”. |
|--|--|---|--|------------------|

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|  |  |                       |  |  |
|--|--|-----------------------|--|--|
|  |  | for commercial trade) |  |  |
|--|--|-----------------------|--|--|

(18) Under the heading relating to CARCHARHINIFORMES—

(a) in the rows relating to **Carcharhinidae**, for the rows relating to *Carcharhinus falciformis* (II) and *Carcharhinus longimanus* (II) substitute—

|  |  |   |  |                          |
|--|--|---|--|--------------------------|
|  |  | “ <i>Carcharhinidae</i> spp. (II)<br><br>(This inclusion has effect at the beginning of 25th November 2023)         |  | Requiem sharks           |
|  |  | <i>Carcharhinus falciformis</i> (II)<br><br>(This inclusion ceases to have effect at the end of 24th November 2023) |  | Silky shark              |
|  |  | <i>Carcharhinus longimanus</i> (II)<br><br>(This inclusion ceases to have effect at the end of 24th November 2023)  |  | Oceanic whitetip shark”; |

(b) In the rows relating to **Sphyrnidae**, for the rows relating to *Sphyrna lewini* (II), *Sphyrna mokarran* (II) and *Sphyrna zygaena* (II) substitute—

|  |  |                               |  |                     |
|--|--|-------------------------------|--|---------------------|
|  |  | “ <i>Sphyrnidae</i> spp. (II) |  | Hammerhead sharks”. |
|--|--|-------------------------------|--|---------------------|

(19) Under the heading relating to MYLIOBATIFORMES—

(a) in the rows relating to **Myliobatidae**, omit the row relating to *Manta* spp. (II);

(b) in the rows relating to **Potamotrygonidae**—

(i) after the row relating to *Potamotrygon* spp. insert—

|  |  |   |  |  |
|--|--|---|--|--|
|  |  | “ <i>Potamotrygon albimaculata</i> (II)”; |  |  |
|--|--|---|--|--|

(ii) after the row relating to *Potamotrygon constellata* (III Colombia) insert—

|  |  |                                   |  |                         |
|--|--|-----------------------------------|--|-------------------------|
|  |  | “ <i>Potamotrygon henlei</i> (II) |  | Bigtooth river stingray |
|--|--|-----------------------------------|--|-------------------------|

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|  |  |                                   |  |                   |
|--|--|-----------------------------------|--|-------------------|
|  |  | <i>Potamotrygon jabuti</i> (II)   |  |                   |
|  |  | <i>Potamotrygon leopoldi</i> (II) |  | Xingu river ray”; |

(iii) after the row relating to *Potamotrygon magdalenae* (III Colombia) insert—

|  |  |                                       |  |  |
|--|--|---------------------------------------|--|--|
|  |  | “ <i>Potamotrygon marquesi</i> (II)”. |  |  |
|--|--|---------------------------------------|--|--|

(iv) after the row relating to *Potamotrygon scobina* (III Colombia) insert—

|  |  |                                    |  |                                       |
|--|--|------------------------------------|--|---------------------------------------|
|  |  | “ <i>Potamotrygon signata</i> (II) |  | Parnaiba river stingray               |
|  |  | <i>Potamotrygon glaucae</i> (II)   |  | Cururu stingray, porcupine stingray”. |

(20) Under the heading relating to RHINOPRISTIFORMES, after the rows relating to **Rhinidae**, insert—

|                      |  |                               |  |                     |
|----------------------|--|-------------------------------|--|---------------------|
| <b>“Rhinobatidae</b> |  |                               |  | <b>Guitarfishes</b> |
|                      |  | <i>Rhinobatidae</i> spp. (II) |  | Guitarfishes”.      |

(21) Under the heading relating to PERCIFORMES, in the rows relating to **Pomacanthidae**, after the row relating to *Holacanthus clarionensis* insert—

|  |  |  |   |                        |
|--|--|--|---|------------------------|
|  |  |  | “ <i>Holacanthus limbaughi</i> (III France) | Clipperton angelfish”. |
|--|--|--|---|------------------------|

(22) Under the heading relating to SILURIFORMES, in the rows relating to **Loricariidae**, for the row relating to *Hypancistrus zebra* (III Brazil) substitute—

|  |  |  |  |               |
|--|--|--|--|---------------|
|  |  | “ <i>Hypancistrus zebra</i> (II)<br><br>(A zero export quota for wild specimens for commercial purposes) |  | Zebra pleco”. |
|--|--|--|--|---------------|

(23) Under the heading relating to ASPIDOCHIROTIDA, in the rows relating to **Stichopodidae**, after the row relating to *Isostichopus fuscus* (III Ecuador) insert—

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|  |  |   |  |                 |
|--|--|---|--|-----------------|
|  |  | <p>“<i>Thelenota</i> spp. (II)</p> <p>(This inclusion has effect at the beginning of 25th May 2024)</p> |  | Sea cucumbers”. |
|--|--|---|--|-----------------|

(24) Under the heading relating to HOLOTHURIIDA, in the rows relating to **Holothuriidae**, in each of the rows from the row relating to *Holothuria fuscogilva* (II) to the row relating to *Holothuria whitmaei* (II), omit “(This inclusion will enter into effect on 28 August 2020)”.

(25) Under the heading relating to ARANEAE, in the rows relating to **Theraphosidae**—

- (a) omit the row relating to *Aphonopelma albiceps* (II);
- (b) after the row relating to *Brachypelma* spp. (II) insert—

|  |  |  |   |                              |
|--|--|--|---|------------------------------|
|  |  |  | <p>“<i>Caribena versicolor</i> (III EU)</p> | Antilles pinktoe tarantula”; |
|--|--|--|---|------------------------------|

- (c) after the row relating to *Poecilotheria* spp. (II) insert—

|  |  |  |  |  |
|--|--|--|--|--|
|  |  | <p>“<i>Sericopelma angustum</i> (II)</p> |  |  |
|  |  | <p><i>Sericopelma embrithes</i> (II)</p> |  |  |
|  |  | <p><i>Tlitocatl</i> spp. (II)</p>        |  |  |

#### Amendments relating to FLORA in Annexes A to C

6.—(1) After the rows under the heading relating to AGAVACEAE insert—

|            |  |  |   |                               |
|------------|--|--|---|-------------------------------|
| “AIZOACEAE |  |  |   | <b>Fig-marigolds</b>          |
|            |  |  | <p><i>Conophytum</i> spp. (III South Africa)</p>      | Button plants, conos, knopies |
|            |  |  | <p><i>Mestoklema tuberosum</i> (III South Africa)</p> | Common donkeyfig”.            |

(2) Under the heading relating to APOCYNACEAE, after the row relating to *Pachypodium decaryi* (I) insert—

|  |  |  |   |  |
|--|--|--|---|--|
|  |  |  | <p>“<i>Raphionacme zeyheri</i> (III South Africa)”.</p> |  |
|--|--|--|---|--|

(3) After the rows under the heading relating to BERBERIDACEAE insert—

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|                    |  |  |  |               |
|--------------------|--|--|--|---------------|
| “BIGNONI-<br>ACEAE |  |  |  | Trumpet trees |
|                    |  | <i>Handroanthus</i><br>spp. (II) #17<br><br>(This inclusion<br>has effect at the<br>beginning of 25th<br>November 2024)  |  |               |
|                    |  | <i>Roseodendron</i><br>spp. (II) #17<br><br>(This inclusion<br>has effect at the<br>beginning of 25th<br>November 2024)  |  |               |
|                    |  | <i>Tabebuia</i> spp. (II)<br>#17<br><br>(This inclusion<br>has effect at the<br>beginning of<br>25th November<br>2024)”. |  |               |

(4) Under the heading relating to COMPOSITAE (ASTERACEAE), before the row relating to *Saussurea costus* (I) insert—

|  |  |  |   |                           |
|--|--|--|---|---------------------------|
|  |  |  | “ <i>Crassothonna</i><br><i>cacalioides</i> (III<br>South Africa) | Potato Baboon-<br>cabbage |
|  |  |  | <i>Crassothonna</i><br><i>clavifolia</i> (III<br>South Africa)    |                           |
|  |  |  | <i>Othonna armiana</i><br>(III) South Africa                      | Kahams Baboon-<br>cabbage |
|  |  |  | <i>Othonna</i><br><i>euphorbioides</i> (III<br>South Africa)      | Spikey Baboon-<br>cabbage |
|  |  |  | <i>Othonna retrorsa</i><br>(III South Africa)<br>”.               |                           |

(5) After the rows under the heading relating to COMPOSITAE (ASTERACEAE) insert—

|                    |  |  |  |                   |
|--------------------|--|--|--|-------------------|
| “CRASSUL-<br>ACEAE |  |  |  | <b>Stonecrops</b> |
|--------------------|--|--|--|-------------------|



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|  |  |                                 |   |   |
|--|--|---------------------------------|---|---|
|  |  | <i>Rhodiola</i> spp. (II)<br>#2 |   | Golden root                                   |
|  |  |                                 | <i>Tylecodon bodleyae</i> (III)<br>South Africa)    | Dimple butterbush                             |
|  |  |                                 | <i>Tylecodon nolteei</i> (III)<br>South Africa)     | Losthope butterbush                           |
|  |  |                                 | <i>Tylecodon reticulatus</i> (III)<br>South Africa) | Thorny butterbush, oukoe butterbush, sifkop”. |

(6) Under the heading relating to EUPHORBIACEAE, in the row relating to *Euphorbia* spp. (II), for “the Union” substitute “Great Britain”.

(7) After the rows under the heading relating to FOUQUIERIAACEAE insert—

|                   |  |  |   |                                    |
|-------------------|--|--|---|------------------------------------|
| “GERANI-<br>ACEAE |  |  |   |                                    |
|                   |  |  | <i>Monsonia herrei</i> (III)<br>South Africa)       | Fine-leaved candle bush            |
|                   |  |  | <i>Monsonia multifida</i> (III)<br>South Africa)    | Red-throat dwarf candle bush       |
|                   |  |  | <i>Monsonia patersonii</i> (III)<br>South Africa)   | Dwarf bushcandle, Bushman’s candle |
|                   |  |  | <i>Pelargonium crassaule</i> (III)<br>South Africa) |                                    |
|                   |  |  | <i>Pelargonium triste</i> (III)<br>South Africa)    | Cinammon geranium kaneeltjie”.     |

(8) Under the heading relating to LEGUMINOSAE (FABACEAE)—

(a) before the row relating to *Dalbergia* spp. (II) insert—

|  |  |  |  |                  |
|--|--|--|--|------------------|
|  |  | “ <i>Azelia</i> spp. (II)<br>#17<br><br>(Included in respect of all African populations) |  | Pod mahoganies”; |
|--|--|--|--|------------------|

(b) for the row relating to *Dipteryx panamensis* (III Costa Rica/Nicaragua) substitute—

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|  |  |   |  |            |
|--|--|---|--|------------|
|  |  | <p>“<i>Dipteryx</i> spp. (II) #17</p> <p>(This inclusion has effect at the beginning of 25th November 2024)</p> |  | Cumaru     |
|  |  |   | <p><i>Dipteryx panamensis</i> (III Costa Rica/ Nicaragua)</p> <p>(This inclusion ceases to have effect at the end of 24th November 2024)</p> | Almendro”; |

(c) for the row relating to *Pterocarpus erinaceus* (II) substitute—

|  |  |  |  |          |
|--|--|--|--|----------|
|  |  | <p>“<i>Pterocarpus</i> spp. (II) #17</p> <p>(Included in respect of all African populations)</p> |  | Paduak”; |
|--|--|--|--|----------|

(d) omit the row relating to *Pterocarpus tinctorius* (II).

(9) Under the heading relating to MELIACEAE, for the rows from the row relating to *Cedrela* spp. to the row relating to *Cedrela odorata* (III Bolivia/Brazil) substitute—

|  |  |   |  |                    |
|--|--|---|--|--------------------|
|  |  | <p>“<i>Cedrela</i> spp. #6</p> <p>(Populations of the Neotropics)</p>                     |  |                    |
|  |  | <p><i>Khaya</i> spp. (II) #17</p> <p>(Included in respect of all African populations)</p> |  | African mahogany”. |

(10) Under the heading relating to ORCHIDACEAE, after the row relating to ORCHIDACEAE spp. (II), for the row with the entry in the first column (corresponding with Annex A) which begins with the words “For all of the following” and ends with the words “sterile containers” substitute—

|  |                                 |  |  |  |
|--|---------------------------------|--|--|--|
|  | “For all of the following Annex |  |  |  |
|--|---------------------------------|--|--|--|

|  |   |  |  |  |
|--|---|--|--|--|
|  | A orchid species, seedling or tissue cultures are not subject to this Regulation when: they are obtained in vitro and meet the definition of ‘artificially propagated’ in accordance with Article 56 of Commission Regulation (EC) No 865/2006 and when introduced into or re-exported from Great Britain are transported in sterile containers”. |  |  |  |
|--|---|--|--|--|

(11) Under the heading relating to PASSIFLORACEAE, after the row relating to *Adenia olaboensis* (II) insert—

|  |  |  |  |   |
|--|--|--|--|---|
|  |  |  | “ <i>Adenia spinosa</i> (III South Africa) | Spiny green stem/ (spiny) elephant foot”. |
|--|--|--|--|---|

(12) Under the heading relating to PORTULACEAE, after the row relating to *Lewisia serrata* (II) insert—

|  |  |  |  |                               |
|--|--|--|--|-------------------------------|
|  |  |  | “ <i>Portulacaria pygmaea</i> (III South Africa) | Pygmy porkbush, dwergspekboom |
|--|--|--|--|-------------------------------|

#### Amendments to table which sets out Annex D

- 7.—(1) The table which sets out Annex D is amended in accordance with paragraphs (2) and (3).
- (2) In relation to FAUNA—
- under the heading relating to SAURIA, omit the rows relating to **Agamidae** (including the row relating to *Physignathus cocincinus*);
  - under the heading relating to CAUDATA, in the rows relating to **Salamandridae**, omit the row relating to *Laotriton laoensis*.
- (3) In relation to FLORA, omit the rows under the heading relating to MELIACEAE (including the rows from the row relating to *Cedrela montana* to the row relating to *Cedrela tonduzii*).

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1st February 2023

*Trudy Harrison*  
Parliamentary Under Secretary of State,  
Department for Environment, Food and Rural  
Affairs

## EXPLANATORY NOTE

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

These Regulations implement changes to the Appendices to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (ratified by the United Kingdom on 2nd August 1976) which were notified to parties to the Convention under Notification Numbers 2023/005, 2022/081, 2022/077, 2022/073, 2022/019 and 2022/014.

Regulations 2 to 7 amend the Annex to the retained EU law version of Council Regulation (EU) No 338/97 on the protection of species of wild fauna and flora by regulating trade therein (EUR 1997/338). That Annex contains two tables, the first setting out Annexes A to C to the Council Regulation, the second setting out Annex D to that Regulation.

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