

Commission regulation (EC) No 865/2006 of 4 May 2006 laying down detailed rules concerning the implementation of Council Regulation (EC) No 338/97 on the protection of species of wild fauna and flora by regulating trade therein

CHAPTER X

**CERTIFICATES PROVIDED FOR IN ARTICLES 5(2)(b),  
5(3), 5(4), 8(3) AND 9(2)(b) OF REGULATION (EC) No 338/97**

*Article 48*

**Certificate provided for in Article 8(3) of Regulation  
(EC) No 338/97 (certificate for commercial use)**

1 A certificate for the purposes of Article 8(3) of Regulation (EC) No 338/97 shall state that specimens of species listed in Annex A thereto are exempted from one or more of the prohibitions laid down in Article 8(1) of that Regulation for any of the following reasons:

- a they were acquired in, or introduced into, the Community before the provisions relating to species listed in Annex A to Regulation (EC) No 338/97, or in Appendix I to the Convention, or in Annex C1 to Regulation (EEC) No 3626/82 became applicable to them;
- b they originate in a Member State and were taken from the wild in accordance with the legislation of that Member State;
- c they are, or are parts of, or are derived from animals born and bred in captivity;
- d they are authorised to be used for one of the purposes referred to in Article 8(3)(c) and (e) to (g) of Regulation (EC) No 338/97.

2 The competent management authority of a Member State may deem an import permit acceptable as a certificate for the purposes of Article 8(3) of Regulation (EC) No 338/97 upon presentation of, the 'copy for the holder' (form 2), if that form states that, as provided for in Article 8(3) thereof, the specimens are exempted from one or more of the prohibitions laid down in Article 8(1) of that Regulation.