

2021 No. 645

WILDLIFE

**The Trade in Endangered Species of Wild Fauna and Flora
(Council Regulation (EC) No 338/97) (Amendment) (No. 2)
Regulations 2021**

<i>Made</i> - - - -	<i>28th May 2021</i>
<i>Laid before Parliament</i>	<i>1st June 2021</i>
<i>Coming into force</i> - -	<i>22nd June 2021</i>

The Secretary of State, 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^(a), makes the following Regulations.

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) (No. 2) Regulations 2021.

(2) These Regulations come into force on 22nd June 2021.

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

2.—(1) The Annex to Council Regulation (EC) No 338/97 on the protection of species of wild fauna and flora by regulating trade therein^(b) is amended as follows.

(2) In the section headed “Notes on interpretation of Annexes A, B, C and D”, in paragraph 12, in the description for annotation #13, after “thereof” insert “, except finished products packaged and ready for retail trade”.

(3) The table which sets out Annexes A to C is amended in accordance with paragraphs 4 to 10.

(4) In the rows relating to PASSERIFORMES, before the rows relating to **Atrichornithidae** insert—

“Alaudidae	Larks
<i>Alauda arvensis</i> (III Ukraine)	Eurasian lark
<i>Galerida cristata</i> (III Ukraine)	Crested lark
<i>Lullula arborea</i> (III Ukraine)	Wood lark
<i>Melanocorypha</i>	Calandra lark”.

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

(b) The Annex was amended by S.I. 2021/54.

calandra (III
Ukraine)

(5) In the rows relating to **Emberizidae**, before the row relating to *Gubernatrix cristata* (II) insert—

	<i>“Emberiza citrinella Ukraine)</i>	(III Yellowhammer
	<i>Emberiza hortulana (III Ukraine)</i>	Ortolan Bunting”.

(6) For the rows relating to **Fringillidae** substitute—

“Fringillidae

		Finches
	<i>Carduelis cannabina (III Ukraine)</i>	Common linnet
	<i>Carduelis carduelis (III Ukraine)</i>	European goldfinch
<i>Carduelis cucullata (I)</i>		Red siskin
	<i>Carduelis flammea (III Ukraine)</i>	Common redpoll
	<i>Carduelis hornemanni (III Ukraine)</i>	Arctic redpoll
	<i>Carduelis spinus (III Ukraine)</i>	Eurasian siskin
<i>Carduelis yarrellii (II)</i>		Yellow-faced siskin
	<i>Carpodacus erythrinus (III Ukraine)</i>	Common rosefinch
	<i>Loxia curvirostra (III Ukraine)</i>	Red crossbill
	<i>Pyrrhula pyrrhula (III Ukraine)</i>	Eurasian bullfinch
	<i>Serinus serinus (III Ukraine)</i>	European serin”.

(7) For the rows relating to **Muscicapidae** substitute—

“Muscicapidae

		Old-world flycatchers, babblers, etc.
<i>Acrocephalus rodericanus (III Mauritius)</i>		Rodrigues brush- warbler
<i>Cyornis ruckii</i>		Rueck’s blue-

(II)		flycatcher
<i>Dasyornis</i>		Western rufous
<i>broadbenti</i>		bristlebird
<i>litoralis</i> (II)		
<i>Dasyornis</i>		Western
<i>longirostris</i> (II)		bristlebird
	<i>Erithacus</i>	European robin
	<i>rubecula</i> (III	
	Ukraine)	
	<i>Ficedula parva</i>	Red-breasted
	(III Ukraine)	flycatcher
<i>Garrulax</i>		Chinese Hwamei
<i>canorus</i> (II)		
<i>Garrulax</i>		Taiwan Hwamei
<i>taewanus</i> (II)		
	<i>Hippolais</i>	Icterine warbler
	<i>icterina</i> (III	
	Ukraine)	
<i>Leiothrix</i>		Silver-eared
<i>argentauris</i> (II)		mesia
<i>Leiothrix</i>		Red-billed
<i>lutea</i>		leiothrix
(II)		
<i>Liocichla</i>		Omei Shan
<i>omeiensis</i> (II)		liocichla
	<i>Luscinia luscinia</i>	Thrush
	(III Ukraine)	nightingale
	<i>Luscinia</i>	Common
	<i>megarhynchos</i>	nightingale
	(III Ukraine)	
	<i>Luscinia svecica</i>	Bluethroat
	(III Ukraine)	
	<i>Monticola</i>	Common rock
	<i>saxatilis</i> (III	thrush
	Ukraine)	
<i>Picathartes</i>		White-necked
<i>gymnocephalus</i>		rockfowl
(I)		
<i>Picathartes</i>		Grey-necked
<i>oreas</i>		rockfowl
(I)		
	<i>Sylvia atricapilla</i>	Eurasian
	(III Ukraine)	blackcap
	<i>Sylvia borin</i> (III	Garden warbler
	Ukraine)	
	<i>Sylvia curruca</i>	Lesser
	(III Ukraine)	whitethroat
	<i>Sylvia nisoria</i>	Barred warbler
	(III Ukraine)	
	<i>Terpsiphone</i>	Mascarene
	<i>bourbonensis</i>	paradise-
	(III Mauritius)	flycatcher
	<i>Turdus merula</i>	Eurasian
	(III Ukraine)	blackbird
	<i>Turdus</i>	Song thrush
	<i>philomelos</i> (III	
	Ukraine)	

Oriolidae*Oriolus oriolus*
(III Ukraine)**Old world
orioles**Eurasian golden
oriole”.(8) After the rows relating to **Paradisaeidae** insert—

“Paridae		Tits
	<i>Parus ater</i> (III Ukraine)	Coal tit”.

(9) After the rows relating to **Sturnidae** insert—

“Troglodytidae		Wrens
	<i>Troglodytes troglodytes</i> (III Ukraine)	Eurasian wren”.

(10) In the rows relating to **Emydidae**, after the row relating to *Emydoidea blandingii* (II) insert—

	<i>Emys orbicularis</i> (III Ukraine)	European Pond Turtle”.
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28th May 2021

Goldsmith of Richmond Park
Minister of State
Department for Environment, Food and Rural Affairs

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

These Regulations implement changes to Appendix III 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 on 24 March 2021 (Notification No. 2021/026) and which take effect on 22nd June 2021.

Regulation 2 amends the Annex to the retained EU law version of Council Regulation (EC) No 338/97 on the protection of species of wild fauna and flora by regulating trade therein (EUR 1997/338).

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.

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