
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations bring into force specified provisions of the Ivory Act 2018 (c. 30) ('the Act'). The Act, when fully in force, will prohibit all dealing in ivory, subject to the exemptions set out in sections 2 and 6 to 9.

These Regulations bring into force the sections of the Act dealing with exemptions and registration, so that applications for exemption and registration may be made in advance of the coming into force of the provisions in the Act which impose the prohibition (section 1 and the associated enforcement provisions).

Regulation 2 brings into force section 1 on 1st February 2022 for the purpose only of making regulations. Regulation 3 brings into force sections 2 to 10, 37(1), (7) and (8), 38, 39, 42, 43 and 44 of the Act on 1st February 2022, for the purpose only of making regulations, and on 24th February 2022 for all other purposes.

Sections 3 and 4 of the Act set out process and procedure in relation to applications for exemption certificates and section 5 deals with fresh applications and appeals against refusal or revocation of a certificate. Section 10 sets out procedure in relation to applications for registration of ivory items for the purposes of exemptions under sections 6 to 9.

Section 37(1) and (8) of the Act defines "ivory". Section 37(7) provides a rebuttable presumption that material that is proved to be ivory is ivory from an elephant. Section 38 defines relevant expressions; section 39 provides consequential and supplementary powers and defines "the appropriate national authority". Sections 42, 43 and 44 provide for extent and commencement and for the short title of the Act.

Regulation 3 brings into force sections 11, 40 and 41 of the Act on 24th February 2022. Section 11 makes further provision about registration. Section 40 and 41 deal with financial provision and Crown application.