

STATES OF JERSEY



Jersey

DRAFT ENDANGERED SPECIES (CITES) (AMENDMENT) (JERSEY) LAW 202-

**Lodged au Greffe on 23rd February 2023
by the Minister for the Environment
Earliest date for debate: 18th April 2023**

STATES GREFFE



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European Convention on Human Rights

In accordance with the provisions of Article 16 of the Human Rights (Jersey) Law 2000, the Minister for the Environment has made the following statement –

In the view of the Minister for the Environment, the provisions of the Draft Endangered Species (CITES) (Amendment) (Jersey) Law 202- are compatible with the Convention Rights.

Signed: **Deputy J. Renouf of St. Brelade**
Minister for the Environment

Dated: 17th February 2023

REPORT

Background

It is proposed that an ‘ambulatory’ element be included in our [Endangered Species \(CITES\) \(Jersey\) Law 2012](#) in order for the Law to remain in line with the CITES convention appendix updates which occur regularly. The ambulatory element will refer to the CITES appendices directly as opposed to having the species listed in the Schedule, which requires updating regularly, and hence, incurs unnecessary resource costs.

Details

The Convention on International Trade in Endangered Species (CITES) aims to protect vulnerable species from over-exploitation. Jersey has ratified this convention and in 2012 brought into force its own Endangered Species (CITES) Law. CITES provides varying levels of protection for species by listing them in one of three Appendices. Appendix I being the species most prone to extinction and Appendix III species being at risk from extinction and/or over-exploitation. In our current Endangered Species (CITES) (Jersey) Law 2012, species are listed in a table within the Schedule. However, as species listings in the Appendices are updated regularly, this table is now out of date. The current method of updating the table periodically requires significant resources to both check for updates and to update our Law to reflect them.

It has, therefore, been determined that an ambulatory element be included, which allows for Appendices updates to be reflected automatically within our Law. By doing so, we continue to provide protection from over-exploitation and act as a deterrent for illegal trade in endangered species.

Financial and manpower implications

There are no new financial and/or manpower implications arising from this amendment.

Human Rights notes

There is no Human Rights Note appended because the Law Officers’ Department indicated that the amendment does not give rise to any human rights issues.

EXPLANATORY NOTE

This Law amends the Endangered Species (CITES) (Jersey) Law 2012 (“the Law”) as identified by *Article 1*.

Article 2 amends the definitions of Appendices 1, 2 and 3 to refer to the corresponding Appendices to CITES, rather than setting out the Appendices in the Schedule to the Law. This ensures that the Law will always reflect the up-to-date position in CITES.

Article 3 deletes the Schedule that is no longer required.

Article 4 gives the name of the Law and provides for it to come into force 7 days after it is registered.



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DRAFT ENDANGERED SPECIES (CITES) (AMENDMENT) (JERSEY) LAW 202-

A **LAW** to amend further the [Endangered Species \(CITES\) \(Jersey\) Law 2012](#).

<i>Adopted by the States</i>	<i>[date to be inserted]</i>
<i>Sanctioned by Order of His Majesty in Council</i>	<i>[date to be inserted]</i>
<i>Registered by the Royal Court</i>	<i>[date to be inserted]</i>
<i>Coming into force</i>	<i>[date to be inserted]</i>

THE STATES, subject to the sanction of His Most Excellent Majesty in Council, have adopted the following Law –

1 [Endangered Species \(CITES\) \(Jersey\) Law 2012](#) amended

This Law amends the [Endangered Species \(CITES\) \(Jersey\) Law 2012](#).

2 Article 1 (interpretation) amended

In Article 1(1) –

- (a) the words from “ “Appendix 1”, ” to “with that heading;” are deleted;
- (b) before the definition “Appendix 1 specimen” there is inserted –
 - “ “Appendix 1” means Appendix I to CITES;
 - “Appendix 2” means Appendix II to CITES;
 - “Appendix 3” means Appendix III to CITES;”.

3 Schedule (Species) deleted

The Schedule is deleted.

4 Citation and commencement

This Law may be cited as the Endangered Species (CITES) (Amendment) (Jersey) Law 202- and comes into force 7 days after it is registered.