

SECOND SUPPLEMENT TO THE GIBRALTAR GAZETTE

No. 4863 GIBRALTAR Thursday 10th June 2021

LEGAL NOTICE NO. 291 OF 2021

EUROPEAN UNION (WITHDRAWAL) ACT 2019

TRADE IN ENDANGERED SPECIES OF WILD FAUNA AND FLORA (COUNCIL REGULATION (EC) NO 338-97) (AMENDMENT) (NO 2) REGULATIONS 2021

In exercise of the powers conferred upon him by Article 19(5) of Council Regulation (EC) No 338/97 on the protection of species of wild fauna and flora by regulating trade therein, the Minister has made the following regulations-

Title.

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.

Commencement.

2. These Regulations come into operation on 22 June 2021.

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

3.(1) The Annex to Council Regulation (EC) No 338/97 on the protection of species of wild fauna and flora by regulating trade therein 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 subregulations (4) to (10).

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

“**Alaudidae**

Larks

Alauda arvensis (III Ukraine)

Eurasian lark

Galerida cristata (III Ukraine)

Crested lark

<i>Lullula arborea</i> (III Ukraine)	Wood lark
<i>Melanocorypha calandra</i> (III Ukraine)	Calandra lark”.

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

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

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

“Fringillidae

Finches

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

Ukraine)

Pyrrhula pyrrhula (III Eurasian
Ukraine) bullfinch

Serinus serinus (III European
Ukraine) serin”.

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

“**Muscicapidae**

**Old-world
flycatchers,
babblers, etc.**

*Acrocephalus
rodericanus* (III
Mauritius)

Rodrigues
brush-warbler

*Cyornis
ruckii* (II)

Rueck’s blue-
flycatcher

*Dasyornis
broadbenti
litoralis* (II)

Western
rufous
bristlebird

*Dasyornis
longirostris* (II)

Western
bristlebird

*Erithacus
rubecula* (III
Ukraine)

European
robin

Ficedula parva (III
Ukraine)

Red-breasted
flycatcher

*Garrulax
canorus* (II)

Chinese
Hwamei

*Garrulax
taewanus* (II)

Taiwan
Hwamei

*Hippolais
icterina* (III
Ukraine)

Icterine
warbler

*Leiothrix
argentea* (II)

Silver-eared
mesia

<i>Leiothrix</i> <i>lutea</i> (II)	Red-billed leiothrix
<i>Liocichla</i> <i>omeiensis</i> (II)	Omei Shan liocichla
<i>Luscinia</i> <i>luscinia</i> (III Ukraine)	Thrush nightingale
<i>Luscinia</i> <i>megarhynchos</i> (III Ukraine)	Common nightingale
<i>Luscinia</i> <i>svecica</i> (III Ukraine)	Bluethroat
<i>Monticola</i> <i>saxatilis</i> (III Ukraine)	Common rock thrush
<i>Picathartes</i> <i>gymnocephalus</i> (I)	White-necked rockfowl
<i>Picathartes</i> <i>oreas</i> (I)	Grey-necked rockfowl
<i>Sylvia</i> <i>atricapilla</i> (III Ukraine)	Eurasian blackcap
<i>Sylvia borin</i> (III Ukraine)	Garden warbler
<i>Sylvia curruca</i> (III Ukraine)	Lesser whitethroat
<i>Sylvia nisoria</i> (III Ukraine)	Barred warbler
<i>Terpsiphone</i> <i>bourbonnensis</i> (III Mauritius)	Mascarene paradise- flycatcher
<i>Turdus merula</i> (III Ukraine)	Eurasian blackbird
<i>Turdus</i> <i>philomelos</i> (III)	Song thrush

Oriolidae	Ukraine)	Old world orioles
	<i>Oriolus oriolus</i> (III Ukraine)	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</i> (III Ukraine)	<i>troglodytes</i> (III 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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Dated: 10th June 2021.

PROF J.CORTES,
Minister with responsibility for the Environment.

EXPLANATORY MEMORANDUM

These Regulations implement changes to Appendix III to the Convention on International Trade in Endangered Species of Wild Fauna and Flora 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 3 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.)