

SECOND SUPPLEMENT TO THE GIBRALTAR GAZETTE

No. 5034 GIBRALTAR Thursday 16th February 2023

LEGAL NOTICE NO. 38 OF 2023

COUNCIL REGULATION (EC) NO 338/97

TRADE IN ENDANGERED SPECIES OF WILD FAUNA AND FLORA (COUNCIL REGULATION (EC) NO 338/97) (AMENDMENT) REGULATIONS 2023

In exercise of the powers conferred upon him by Article 19 (4) and (5) of Council Regulation (EC) No 338/97 on the protection of species of wild fauna and flora by regulating trade therein, and in consultation with the Scientific Authority, 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) Regulations 2023.

Commencement.

2. These Regulations come into operation on 23 February 2023.

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 in accordance with this regulation.

(2) In the section headed “Notes on interpretation of Annexes A, B C and D” –

- (a) in the opening sentence of paragraph 12, for the words “thereof are also included” substitute “thereof, are always included”;
- (b) in annotation #1, subparagraph (b), delete “, in solid or liquid media,”;
- (c) in annotation #4 –
 - (i) in subparagraph (b), delete “, in solid or liquid media,”;
 - (ii) in subparagraph (e) for “; and” substitute “;”;
 - (iii) in subparagraph (f) for “.” substitute “; and”;
 - (iv) after subparagraph (f) insert -

“(g) finished products derived from artificial propagation packaged and ready for retail trade of cosmetics containing parts and derivatives of *Bletilla striata*, *Cynoches cooperi*, *Gastrodia elata*, *Phalaenopsis amabilis* or *P.lobbii*.”;

(d) for annotation #10 substitute –

“#10 All parts, derivatives and finished products, except re-export or finished musical instruments, finished musical instrument accessories and finished musical instrument parts.”.

(e) in annotation #14, subparagraph (b), delete “, in solid or liquid media,”.

(3) In paragraph 13 –

(a) for the definition of “10kg per shipment” substitute-

“10 kg per shipment

For the term “10 kg per shipment”, the 10kg limit should be interpreted as referring to the weight of wood of each individual annotated species of genus *Dalbergia* or *Guibourtia* present in the items in the shipment. The 10kg limit is to be assessed only against the individual weights against the individual weights of the portions of wood of each individual annotated species contained in each item of the shipment, and not against the total weight of the shipment. The total weights present of each individual annotated species are considered individually to determine whether a CITES permit or certificate is required for each individual annotated species, and weights of different individual annotated species are not added together for this purpose.”;

(b) in the definition of “Transformed wood” –

(i) after “grooved,” insert “rebated, chamfered,”;

(ii) after “beaded” insert “, moulded, rounded”;

(4) In paragraph 14 delete “, in solid or liquid media,”.

Amendments to table which sets out Annexes A to C.

4. The table which sets out Annexes A to C in the Annex to Council Regulation (EC) No 338/97 is amended in accordance with regulations 5 and 6.

Amendments relating to FAUNA in Annexes A to C.

5.(1) Under the heading relating to ARTIODACTYLA, in the rows relating to **Bovidae**, after the row relating to *Pantholops hodgsonii* (I) insert –

		<i>“Philantomba maxwelli (II)”</i>		
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(2) Under the heading relating to CARNIVORA, in the rows relating to **Lutrinae**, for “*Aonyx cinerea (I)*” substitute “*Aonyx cinereus (I)*”.

(3) Under the heading relating to PERISSODACTYLA –

- (a) in the rows relating to **Equidae**, in the row relating to *Equus hemionus (I/II)*, after “*Equus hemionus hemionus*” insert “, *Equus hemionus luteus*”;
- (b) in the rows relating to **Rhinocerotidae**, for the row relating to *Ceratotherium simum simum (II)* substitute –

		<p><i>“Ceratotherium simum simum (II)</i> (Only the populations of Eswatini, Namibia and South Africa; all other populations are included in Annex A. For the populations of Eswatini and South Africa, for the exclusive purpose of allowing international trade in live animals to appropriate and acceptable destinations and trade in hunting trophies. For the population of Namibia, for the exclusive</p>		Southern white rhinoceros”.
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		<p>purpose of allowing international trade in live animals for in-situ conservation and only within the natural and historical range of <i>Ceratotherium simum</i> in Africa.</p> <p>All other specimens of species included in Annex A and the trade in them shall be regulated accordingly.</p>		
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(4) Under the heading relating to PRIMATES –

- (a) in the rows relating to **Atelidae**, delete the row relating to *Alouatta coibensis* (I).
- (b) in the rows relating to **Hominidae**, after the row relating to *Pongo pygmaeus* (I) insert-

	<i>“Pongo tapanuliensis</i> (I)			Tapanuli orangutan”.
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(5) Under the heading relating to RODENTIA, in the rows relating to **Sciuridae**, for the row relating to *Cynomys mexicanus* (I) substitute –

	<i>“Cynomys mexicanus</i> (II)			Mexican Prairie dog”.
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(6) Under the heading relating to ANSERIFORMES, in the rows relating to **Anatidae**, for the row relating to *Branta canadensis leucopareia* (I) substitute –

		“ <i>Branta canadensis leucopareia</i> (II)”		Aleutian cackling goose”.
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(7) Under the heading relating to FALCONIFORMES –

- (a) in the rows relating to **Accipitridae**, for “*Chondrohierax uncinatus wilsonni* (I)” substitute “*Chondrohierax wilsonii* (I)”;
- (b) in the rows relating to **Falconidae**, delete the row relating to *Falco pelegrinoides* (I).

(8) Under the heading relating to GRUIFORMES –

- (a) in the rows relating to **Gruidae** –
 - (i) after the row relating to Gruidae spp. (II) insert –

	“ <i>Antigone canadensis nesiotis</i> (I)”			Cuban sandhill crane
	<i>Antigone canadensis pulla</i> (I)			Mississippi sandhill crane
	<i>Antigone vipio</i> (I)			White-necked crane”;

- (ii) delete the rows relating to *Grus canadensis* (I/II), *Grus leucogeranus* (I) and *Grus vipio* (I);
- (iii) after the row relating to *Grus nigricollis* (I) insert –

	“ <i>Leucogeranus leucogeranus</i> (I)”			Siberian crane”;
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- (b) in the rows relating to **Rallidae**, for “*Gallirallus sylvestris* (I)” substitute “*Hypotaenidia sylvestris* (I)”.

(9) Under the heading relating to PASSERIFORMES –

- (a) in the rows relating to **Emberizidae** –
 - (i) after the row relating to *Gubernatrix cristata* (II) insert –

			“ <i>Melopyrrha nigra</i> (III Cuba)”	Cuban bullfinch”;
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(ii) after the row relating to *Tangara fastuosa* (II) insert -

			“ <i>Tiaris canorus</i> (III Cuba)”	Cuban grassquit”;
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(b) in the rows relating to **Muscicapidae**, for the row relating to *Acrocephalus rodericanus* (III Mauritius) substitute –

			“ <i>Acrocephalus rodericanus</i> (III Mauritius)”	Rodrigues brush-warbler
		<i>Copysychus malabaricus</i> (II)		White-rumped shama”;

(c) in the rows relating to **Pycnonotidae**, for the row relating to *Pycnonotus zeylanicus* (II) substitute –

	“ <i>Pycnonotus zeylanicus</i> (I) (This inclusion has effect at the beginning of 25 th November 2023)”	<i>Pycnonotus zeylanicus</i> (II) (This inclusion ceases to have effect at the end of 24 th November 2023)		Straw-headed bulbul”.
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(10) Under the heading relating to PROCELLARIIFORMES, in the rows relating to **Diomedidae**, for the row relating to *Phoebastria albatrus* (I) substitute -

		“ <i>Phoebastria albatrus</i> (II)”		Short-tailed albatross”.
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(11) Under the heading relating to PSITTACIFORMES, in the rows relating to **Psittacidae**

(a) after the row relating to *Ognorhynchus icterotis* (I) insert –

	“ <i>Pezoporus flaviventris</i> (I)”.			
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(b) for “*Psephotus chrysopterygius* (I)” substitute “*Psephotellus chrysopterygius* (I)”;

(c) for “*Psephotus dissimilis* (I)” substitute “*Psephotellus dissimilis* (I)”;

(d) for “*Psephotus pulcherrimus* (I)” substitute “*Psephotellus pulcherrimus* (I)”.

(12) Under the heading relating to CROCODYLIA –

(a) in the rows relating to **Alligatoridae**, for the row relating to *Caiman latirostris* (I) substitute-

	<p>“<i>Caiman latirostris</i> (I)(Except for the population of Brazil which is included in Annex B subject to zero annual export quota for wild specimens traded for commercial purposes.)”.</p>			
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(b) in the rows relating to **Crocodylidae**, for the row relating to *Crocodylus porosus* (I) substitute –

	<p>“<i>Crocodylus porosus</i> (I) Except for the populations of Australia, Indonesia, Malaysia, Papua New Guinea and the Philippines, which are included in Annex B. For Malaysia, wild harvest restricted to the State of Sarawak and a zero quota for wild specimens for the other States of</p>			<p>Estuarine crocodile”.</p>
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	Malaysia (Sabah and Peninsular Malaysia), with no change in the zero quota unless approved by the CITES Parties. For the Philippines, population of the Palawan Islands only and with a zero export quota for wild specimens traded for commercial purposes)".			
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(13) Under the heading relating to SAURIA –

- (a) in the rows relating to **Agamidae**, after the row relating to *Lyricocephalus scutatus* (II) insert –

		<i>Physignathus cocincinus</i> (II)		Chinese water dragon”;
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(b) in the rows relating to **Gekkonidae** –

- (i) after the row relating to *Cnemaspis psychedelica* (I) insert –

		<i>Cyrtodactylus jeyporensis</i> (II)		Jeypore Indian gecko”.
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(ii) after the row relating to *Strophurus* spp. (III Australia) insert –

		<i>Tarentola chazaliae</i> (II)		Helmet head gecko”.
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- (c) in the rows relating to **Iguanidae**, delete the rows from the row relating to *Phrynosoma blainvillii* (II) to the row relating to *Phrynosoma wigginsi* (II);

(d) after the rows relating to **Lanthanotidae** insert –

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Phrynosomatidae				
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		<i>Phrynosoma</i> spp.(II)		Horned lizards
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- (e) in the rows relating to **Scincidae**, for the rows after *Corucia zebrata* (II) up to “*Tiliqua scincoides scincoides* (III Australia) substitute -

			“ <i>Egernia</i> spp. (III Australia)	Rock or spiny-tailed skinks
	<i>Tiliqua adelaidensis</i> (I)			Adelaide pygmy blue-tongue skink
			<i>Tiliqua multifasciata</i> (III Australia)	Centralian blue-tongued skink
			<i>Tiliqua nigrolutea</i> (III Australia)	Blotched blue-tongued skink
			<i>Tiliqua occipitalis</i> (III Australia)	Western blue-tongued skink
			<i>Tiliqua rugosa</i> (III Australia)	Shingleback lizard
			<i>Tiliqua scincoides intermedia</i> (III Australia)	Northern blue-tongued skink
			<i>Tiliqua scincoides scincoides</i> (III Australia)	Eastern blue-tongued lizard”.

- (14) Under the heading relating to SERPENTES –

- (a) in the rows relating to **Boidae** –

- (i) for the row relating to *Epicrates inornatus* (I) substitute -

		“ <i>Chilabothrus inornatus</i> (II)		Puerto Rican boa”.
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- (ii) for “*Epicrates monensis* (I)” substitute “*Chilabothrus monensis* (I)”;

- (iii) for “*Epicrates subflavus* (I)” substitute “*Chilabothrus subflavus* (I)”

- (b) in the rows relating to **Pythonidae**-

- (i) in the row relating to Pythonidae spp. (II) for “subspecies” substitute “species”;
- (ii) for “*Python molurus molurus* (I)” substitute “*Python molurus* (I)”;
- (c) in the rows relating to **Viperidae** –
 - (i) after the row relating to *Daboia russelii* (III India) insert –

		“ <i>Montivipera wagneri</i> (II)		Wagner’s viper
		<i>Protobothrops mangshanensis</i> (II)		Mangshan pit viper”.

- (ii) delete the rows relating to *Trimeresurus mangshanensis* (II) and *Vipera wagneri* (II).

(15) Under the heading relating to TESTUDINES –

- (a) in the rows relating to **Chelidae**, after the row relating to *Chelodina mccordi* (II) insert –

		“ <i>Chelus fimbriata</i> (II)		Matamata turtle
		<i>Chelus orinocensis</i> (II)		Orinoco matamata turtle”.

- (b) in the rows relating to **Chelydridae**, for the rows relating to *Chelydra serpentina* (III United States of America) and *Macrochelys temminckii* (III United States of America) substitute -

		“ <i>Chelydra serpentina</i> (II)		Common snapping turtle
		<i>Machrochelys temminckii</i> (II)		Alligator snapping turtle”.

- (c) in the rows relating to **Emydidae** –

- (i) for “*Graptemys* spp (III United States of America)” substitute “*Graptemys* spp. (Except the species included in Annex B)(III United States of America)”;
- (ii) after the row relating to *Graptemys* spp.(III United States of America) insert-

		“ <i>Graptemys barbouri</i> (II)		Barbours map turtle
		<i>Graptemys ernsti</i> (II)		Escambia map turtle
		<i>Graptemys gibbonsi</i> (II)		Pascagoula map turtle
		<i>Graptemys pearlensis</i> (II)		Pearl river map turtle
		<i>Graptemys pulchra</i> (II)		Alabama map turtle”;

- (d) in the rows relating to **Geoemydidae** –

- (i) for the row relating to *Batagur kachuga* (II) substitute-

	“ <i>Batagur kachuga</i> (I)”			Red-crowned roof turtle”;
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- (ii) in the row relating to *Cuora* spp.(II) delete “*C.galbinifrons*” from the third column (corresponding with Annex B);

- (iii) after the row relating to *Cuora boureti* insert-

	“ <i>Cuora galbinifrons</i> (I)			Indochinese box turtle”;
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- (iv) after the row relating to *Leucocephalon yuwonoi* (II) insert—

		“ <i>Malayemys khoratensis</i> (II)”;		
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- (v) after the row relating to *Pangshura tecta* (I) insert —

		“ <i>Rhinoclemmys</i> spp. (II)		Neotropical wood turtles”;
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(e) before the rows relating to **Platysternidae** insert –

“Kinosternidae				American mud and musk turtles
	<i>Kinosternon cora</i> (I) <i>Kinosternon vogti</i> (I)	<i>Claudius angustatus</i> (II) <i>Kinosternon</i> spp. (II) (Except for the species included in Annex A) <i>Staurotypus salvinii</i> (II) <i>Staurotypus triporcatus</i> (II) <i>Sternotherus</i> spp. (II)		Narrow-bridged musk turtle Mud turtles Cora mud turtle Vallarta mud turtle Giant musk turtle Mexican musk turtle Musk turtles”;

(f) in the rows relating to **Trionychidae** –

- (i) for the rows from the row relating to *Apalone ferox* (III United States of America) to the row relating to *Apalone spinifera* (III United States of America) substitute –

		“ <i>Apalone</i> spp. (II) (Except for subspecies included in Annex A”		Softshell turtles”;
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- (ii) for the row relating to *Nilssonina leithii* (II) substitute –

	<i>Nilssonia leithii</i> (I)			Leith's softshell turtle".
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(16) Under the heading relating to ANURA –

(a) in the rows relating to **Bufo**nidae –

(i) after the row relating to *Nimbaphrynoides* spp. (I) insert—

	<i>Sclerophrys channingi</i> (I)			Cameroon toad";
	<i>Sclerophrys superciliaris</i> (I)			

(ii) delete the rows relating to *Amietophrynus channingi* (I) and *Amietophrynus superciliaris* (I);

(b) after the rows relating to **Calyptocephalellidae**, insert—

"Centrolenidae				Glass frogs
		<i>Centrolenidae</i> spp. (II)		Glass frogs";

(c) in the rows relating to **Dendrobatidae**, after the row relating to *Oophaga* spp. (II) insert—

		<i>Paruwrobates andinus</i> (II)		
		<i>Paruwrobate erythromos</i> (II)		
		”;		

(d) in the rows relating to **Hylidae** –

(i) after the row relating to *Agalychnis callidryas* (II) insert —

		<i>Agalychnis lemur</i> (II) (A zero annual export quota has been established for specimens removed from the wild and traded for		Lemur tree frog";
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		commercial purposes)		
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(ii) after the row relating to *Agalychnis spurrelli* (II) insert -

		<i>“Agalychnis terranova</i> (II)		Colombian red-eyed tree frog”.
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(17) Under the heading relating to CAUDATA, in the rows relating to **Salamandridae**, after the row relating to *Echinotriton maxiquadratus* (II) insert—

		<i>“Laotriton laoensis</i> (II) (A zero export quota has been established for wild specimens for commercial trade)		Lao warty newt”.
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(18) Under the heading relating to CARCHARHINIFORMES—

(a) in the rows relating to **Carcharhinidae**, for the rows relating to *Carcharhinus falciformis* (II) and *Carcharhinus longimanus* (II) substitute—

		<i>“Carcharhinidae</i> spp. (II) (This inclusion has effect at the beginning of 25th November 2023)		Requiem sharks
		<i>Carcharhinus falciformis</i> (II) (This inclusion ceases to have effect at the end of 24th November 2023)		Silky shark
		<i>Carcharhinus longimanus</i> (II)		

		(This inclusion ceases to have effect at the end of 24th November 2023)		Oceanic whitetip shark”;
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- (b) in the rows relating to **Sphyrnidae**, for the rows relating to *Sphyrna lewini* (II), *Sphyrna mokarran* (II) and *Sphyrna zygaena* (II) substitute—

		“ <i>Sphyrnidae</i> spp. (II)		Hammerhead sharks”.
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- (19) Under the heading relating to MYLIOBATIFORMES –

- (a) in the rows relating to **Myliobatidae**, delete the row relating to *Manta* spp. (II);

- (b) in the rows relating to **Potamotrygonidae** –

- (i) for “*Potamotrygon* spp. (III Brazil)(population of Brazil)” substitute “*Potamotrygon* spp.(III Brazil)(only the populations of Brazil not included in Annex B)”;

- (ii) after the row relating to *Potamotrygon* spp. insert –

		“ <i>Potamotrygon albimaculata</i> (II)”;		
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- (iii) after the row relating to *Potamotrygon constellata* (III Colombia) insert—

		“ <i>Potamotrygon henlei</i> (II)		Bigtooth river stingray
		<i>Potamotrygon jabuti</i> (II)		
		<i>Potamotrygon leopoldi</i> (II)		Xingu river ray”;

- (iv) after the row relating to *Potamotrygon magdalenae* (III Colombia) insert –

		“ <i>Potamotrygon marquesi</i> (II)”.		
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(v) after the row relating to *Potamotrygon scobina* (III Colombia) insert -

		“ <i>Potamotrygon signata</i> (II)		Parnaiba river stingray
		<i>Potamotrygon wallacei</i> (II)		Cururu stingray, porcupine stingray”.

(20) Under the heading relating to RHINOPRISTIFORMES, after the rows relating to **Rhinidae**, insert—

“

Rhinobatidae				Guitarfishes
		<i>Rhinobatidae</i> spp. (II)		Guitarfishes”.

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(21) Under the heading relating to SILURIFORMES, in the rows relating to **Loricadariidae**, for the row relating to *Hypancistrus zebra* (III Brazil) substitute –

		“ <i>Hypancistrus zebra</i> (II) (A zero export quota for wild specimens for commercial purposes)		Zebra pleco”.
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(22) Under the heading relating to ASPIDOCHIROTIDA, in the rows relating to **Stichopodidae**, after the row relating to *Isostichopus fuscus* (III Ecuador) insert—

		“ <i>Thelenota</i> spp. (II) (This inclusion has effect at the beginning of 25th May 2024)”.		
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(23) Under the heading relating to ARANEAE, in the rows relating to **Theraphosidae** –

- (a) delete the row relating to *Aphonopelma albiceps* (II);
- (b) after the row relating to *Poecilotheria* spp.(II) insert –

		“ <i>Sericopelma angustum</i> (II)		
		<i>Sericopelma embrithes</i> (II)		
		<i>Tlitocatl</i> spp. (II)		
		”.		

Amendments relating to FLORA in Annexes A to C.

- 6.(1) After the rows under the heading relating to AGAVACEAE insert -

“

AIZOACEAE				Fig-marigolds
			<i>Conophytum</i> spp. (III South Africa)	Button plants, conos, knopies
			<i>Mestoklema tuberosum</i> (III South Africa)	Common donkeyfig;

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- (2) Under the heading relating to APOCYNACEAE, after the row relating to *Pachypodium decaryi* (I) insert –

			“ <i>Raphionacme zeyheri</i> (III South Africa)”.	
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- (3) After the rows under the heading relating to BERBERIDACEAE insert –

“BIGNONIACEAE				Trumpet trees
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		<p><i>Handroanthus</i> spp. (II) #17 (This inclusion has effect at the beginning of 25th November 2024)</p> <p><i>Roseodendron</i> spp. (II) #17 (This inclusion has effect at the beginning of 25th November 2024)</p> <p><i>Tabebuia</i> spp. (II) #17 (This inclusion has effect at the beginning of 25th November 2024)".</p>		
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(4) Under the heading relating to COMPOSITAE (ASTERACEAE), before the row relating to *Saussarea costus* (I) insert –

		<p><i>Crassothonna</i> <i>cacalioides</i> (III South Africa)</p> <p><i>Crassothonna</i> <i>clavifolia</i> (III South Africa)</p> <p><i>Othonna</i> <i>armiana</i> (III South Africa)</p> <p><i>Othonna</i> <i>euphorbioides</i> (III South Africa)</p>	<p>Potato baboon- cabbage</p> <p>Kahams Baboon- cabbage</p>
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			<i>Othonna retrorsa</i> (III South Africa)".	
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(5) After the rows under the heading relating to COMPOSITAE (ASTERACEAE) insert -

"CRASSULACEAE				Stonecrops
		<i>Rhodiola</i> spp.(II) #2		Golden root
			<i>Tylecodon bodleyae</i> (III South Africa)	Dimple butterbush
			<i>Tylecodon nolteei</i> (III South Africa)	Losthope butterbush
			<i>Tylecodon reticulatus</i> (III South Africa)	Thorny butterbush, oukoe butterbush, sifkop".

(6) After the rows under the heading relating to FOUQUIERIACEAE insert –

"GERANIACEAE				
			<i>Monsonia herrei</i> (III South Africa)	Fine-leaved candle bush
			<i>Monsonia multifidi</i> (III South Africa)	Red-throat dwarf candle bush
			<i>Monsonia patersonii</i>	Dwarf bushcandle,

			(III South Africa)	Bushman's candle
			<i>Pelargonium crassicaule</i> (III South Africa)	
			<i>Pelargonium triste</i> (III South Africa)	Cinammon geranium kaneeltjie".

”.

(7) Under the heading relating to LEGUMINOSAE (FABACEAE)-

(a) before the row relating to *Dalbergia* spp.(II) insert-

		“ <i>Afzelia</i> spp.(II)#17 (Included in respect of all African populations)		Pod mahoganies
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(b) for the row relating to *Dipteryx panamensis* (III Costa Rica/Nicaragua) substitute-

		“ <i>Dipteryx</i> spp. (II) #17 (This inclusion has effect at the beginning of 25th November 2024)		Cumaru
			<i>Dipteryx panamensis</i> (III Costa Rica/Nicaragua) (This inclusion ceases to have effect at the end of 24th November 2024)	Almendo”;

(c) for the row relating to *Pterocarpus erinaceus* (II) substitute –

		“ <i>Pterocarpus</i> spp. (II) #17 (Included in respect of all African populations)		Paduak”.
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(d) delete the row relating to *Pterocarpus tinctorius* (II)

(8) Under the heading relating to MELIACEAE, after the row relating to *Cedrela* spp.(II) insert-

		“ <i>Khaya</i> spp (II)#17 (included in respect of all African populations)		African mahogany”.
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(9) Under the heading relating to ORCHIDACEAE, after the row relating to ORCHIDACEAE spp.(II), for the row with the entry in the second column (corresponding with Annex A) which begins with the words “For all of the following” and ends with the words “sterile containers” substitute –

“For all of the following Annex A orchid species, seedling or tissue cultures are not subject to this Regulation when: they are obtained in vitro and meet the definition of “artificially propagated” in accordance with Article 56 of Commission Regulation (EC) No 865/2006 and when introduced into or re-exported from Gibraltar are transported in sterile containers”.

(10) Under the heading relating to PASSIFLORACEAE, after the row relating to *Adenia olaboensis* (II) insert –

			“ <i>Adenia spinosa</i> (III South Africa)	Spiny green stem/(spiny) elephant foot”.
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(11) Under the heading relating to PORTULACACEAE, after the row relating to *Lewisia serrata* (II) insert –

			“ <i>Portulacaria pygmaea</i> (III South Africa)	Pygmy porkbush, dwergspekboom”.
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Amendments to table which sets out Annex D.

7.(1) The table which sets out Annex D is amended in accordance with this regulation.

(2) In relation to FAUNA –

- (a) under the heading relating to SAURIA, delete the rows relating to **Agamidae** (including the row relating to *Physignathus cocincinus*);
- (b) under the heading relating to CAUDATA, in the rows relating to **Salamandridae**, delete the row relating to *Laotriton laoensis*.

(3) In relation to FLORA –

- (a) under the heading relating to BIGNONIACEAE, in the rows relating to *Handroanthus* spp, *Tabebuia* spp. and *Roseodendron* spp. insert “until 24th November 2024”;
- (b) under the heading relating to CRASSULACEAE delete the row relating to *Rhodiola* spp;
- (c) under the heading relating to LEGUMINOSAE delete the row relating to *Pterocarpus macrocarpus*;
- (d) under the heading relating to MELIACEAE delete the row relating to *Khaya* spp.

Dated: 16th February 2023.

PROF J.CORTES
Minister with responsibility for the Environment

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations implement changes to Appendices I and II to the Convention on International Trade in Endangered Species of Wild Fauna and Flora following the 19th meeting of the Conference of the Parties to the Convention which were notified on 12 January 2023 (Notification No. 2023/005). They also implement changes to Appendix III in accordance with Notifications 2022/081 and 2022/77 with effect from 23 February 2023. The Regulations amend the Annex to the retained EU law version of Council Regulation (EU) No 338/97 on the protection of species of wild fauna and flora by regulating trade therein.