

# **Guidance: Balai Directive and EU trade in animals: approved premises**

*Updated:* Balai Directive approved premises list updated

Institute and centres which import and export certain animals under [Council Directive 92/65/EEC \(Balai Directive\)](#) must be approved by the Animal and Plant Health Agency (APHA).

APHA approve and inspect these premises on behalf of Defra, Scottish Government and Welsh Government.

See guidance on [Balai Directive](#).

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## **Detailed guide: Endangered species: imports and exports and commercial use**

*Updated:* CITES news updated.

### **Introduction**

CITES is the Convention on International Trade in Endangered Species of Wild Fauna and Flora, an international agreement between governments that came into force in 1975. The import, export and use for commercial gain of certain species requires a CITES permit.

Animal and Plant Health Agency's Centre for International Trade – Bristol is the part of the UK CITES management authority responsible for dealing with CITES applications.

### **CITES news**

#### **Control of Trade in Endangered Species (COTES) Regulations 2018**

The [Control of Trade in Endangered Species \(COTES\) Regulations 2018](#) will come into force on 01 October 2018, replacing COTES 1985, 1997, 2005, 2007 and 2009. Schedule 2 of COTES 2018 introduces civil sanctions as the enforcement mechanism in two new circumstances; i) the advertising for sale of Annex A specimens without display of its EC/ Article 10 permit number (Regulation 6 of COTES) and ii) incorrect packaging and labelling of caviar (Regulations 64(2), 66(6) and 66(7) of Commission Regulations 865 of 2006). An enforcement

policy for civil sanctions is being developed and guidance will be consulted on. As a result the finalised guidance will not be published by 01 October. Accordingly the civil sanctions set out in Schedule 2 will not be used until after the publication of this guidance. All other offences are unaffected and will come into force on 01 October 2018. Any queries should be sent to [Kristopher.blake@defra.gsi.gov.uk](mailto:Kristopher.blake@defra.gsi.gov.uk)

## **High levels of CITES applications**

We are currently dealing with large numbers of CITES applications. Applications are dealt with strictly in the order of date received and will be processed as soon as possible. Please do not query the status of your application until 15 working days after the date of applying.

## **UK ivory sales ban**

The UK will introduce a ban on ivory sales, as confirmed by Environment Secretary Michael Gove today (3 April 2018).

The Government is publishing the response to its consultation on a UK ivory sales ban, and confirming robust measures that will be brought into force through primary legislation.

See the [news release](#) for further information.

All enquiries should be emailed to [IvoryConsultation@defra.gsi.gov.uk](mailto:IvoryConsultation@defra.gsi.gov.uk).

## **EU guidance on intra-EU trade/re-export of rhino horn**

The EU has released guidance relating to intra-EU trade and export, re-export and import of rhino horn. See the guidance on the [European Commission website](#).

## **New CITES controls – Rosewood and Palisander guidance**

The European Commission has published a new guidance document about [trading in Rosewood and Palisander species included in CITES App II](#).

## **African Grey Parrot traders: information needed to support an application for an article 10 certificate**

There are new CITES controls in place for African Grey Parrots. See the [news item](#) for further details.

[Subscribe to the CITES RSS feed for the latest CITES news](#)

## **CITES species**

Over 2,500 animal and 25,000 plant species are included in the Appendices of CITES on Appendix I, II or III. In the European Union the CITES Appendices are replaced by Annexes A, B, C and D.

[EU Commission Regulation No 2017/160](#), which came into effect on 20 December 2014, provides a complete list of species controlled by CITES under the EU regulations.

Alternatively you can find out if a species is controlled under CITES by visiting the [UNEP-WCMC website species+](#).

[Easy guide: 50 most commonly traded species, with Latin names](#)  
(PDF, 50.8KB, 1 page)

## **Import bans and negative opinions**

Trade is not allowed with countries that are not party to the Convention and do not issue comparable documentation. See a list of [CITES parties](#).

The [EU Commission Regulation \(EC\) No. 2017/1915](#) suspends the introduction into the Community of specimens of certain species of wild fauna and flora.

The EC Scientific Review Group (SRG) publishes a current list of negative opinions which are recorded on the [Species+ website](#).

The [trade suspension list](#) provides a list of bans by country.

## **Application process**

Applications are required for CITES listed species for the following:

- import into and (re-) export from the European Union
- the commercial use of any specimen listed on Annex A to the regulations within the EU
- movement of specimens within the EU where there has been a previous movement restriction imposed

Before completing the application, you must check:

- whether the species is controlled by CITES
- the scientific name of the species
- whether there are any specific requirements with the intended import or export country – you can check this on the Global [CITES website](#)

### **Step 1 – application**

You must complete an application form – in most cases this is either form [FED0172 \(imports and exports\)](#) or form [FED1012 \(commercial use\)](#).

Your application will need to be accompanied by the correct fee. Cheques should be made payable to APHA.

If you are applying for an import permit you need to obtain and attach a copy of the export permit before you submit the application.

Applications, with supporting documents, can be submitted by post or email.

If you cannot electronically sign the application form, we require a declaration in the remarks box, on the application form stating that you, the email account owner is the actual applicant, (i.e. I, your name, am the owner of the email address and also the applicant).

## **Step 2 – consideration**

As we receive thousands of applications in the post each year we do not acknowledge receipt of an application made by post.

If there is no problem with your application you may not hear from us until you receive your paperwork. If you apply by email, you will receive a response confirming the arrival of your application.

Once we receive your application a Case Officer, will log your application onto our system and complete the necessary steps to determine whether the documents can be issued.

Often this includes sending it to our scientific advisors. The Royal Botanical Gardens at Kew is the scientific authority for plant applications and Joint Nature Conservation Committee (JNCC) is the scientific authority for animals.

At this stage you do not need to do anything, unless specifically asked by your Case Officer.

## **Step 3 – decision**

Once a decision has been reached your Case Officer will either:

- a) authorise your paperwork, print it, sign and stamp it and send it to you
- or
- b) write a letter to you explaining why your application has been refused

Whatever you have applied for we aim to have an answer back to you within 15 working days of receiving your application.

## **Charges**

- [Fees applicable for CITES applications](#)  
(PDF, 214KB, 3 pages)
- [Fees for CITES applications for animals](#)  
(PDF, 146KB, 5 pages)

- [Fees for CITES applications for plants](#)  
(PDF, 160KB, 5 pages)
- [Fees and charges – Wildlife \(Statutory Instrument 2009 No.496\)](#)
- [The Animal Health \(Miscellaneous Fees\) Regulations 2013 No.1240](#)

## Methods of payment

All payments should be made in £ sterling. Please do not send cash.

Fees are payable on application and are for the processing of the application. Refunds will not be issued if the application is refused or cancelled after processing has started. Applications without a fee will not be processed unless they have been waived for conservation purposes.

Fees can be paid by:

- cheque – cheques must be made payable to APHA
- postal order – postal orders must be made payable to APHA and counterfoils should be retained for your own records
- card – to pay by card (all major credit and debit cards accepted except American Express), contact our Central Finance Department on 01633 631 800 or [credit-control.aph@sscl.gse.gov.uk](mailto:credit-control.aph@sscl.gse.gov.uk) and explain what you want to pay for e.g. CITES Article 10 certificate
- BACS (Bankers' Automated Clearing Services) – for further details on paying by BACS, please call 0117 372 3700 or email us at [wildlife.licensing@apha.gsi.gov.uk](mailto:wildlife.licensing@apha.gsi.gov.uk)

## Forms

[FED1012 – CITES article 10 or article 60 certificate application form](#)

[FED0172 – CITES permit application form](#)

[WLRS02 – Declaration of gift or unconditional loan](#)

[WLRS202 – Form to apply for a waiver of CITES charges for applications](#)

[FED0173 – CITES travelling exhibition certificate form](#)

[Accommodation and care questionnaires](#)

[Invasive alien species \(animals and plants\): permit application](#)

## Guidance documents

[Reference Guide to the European Community Wildlife Trade Regulations](#)

Produced by the European Commission and TRAFFIC Europe.

[GN1 – General guidance notes for importers and exporters](#)

(PDF, 315KB, 7 pages)

Sets out the framework for international trade in specimens listed on each of the Annexes and explains what you need to do to

#### [GN1a – Guidance for first time applicants: importers and exporters](#)

(PDF, 199KB, 4 pages)

Brief overview of what you need to know

#### [GN2 – General notes on commercial use](#)

(PDF, 336KB, 9 pages)

Sets out when you need to apply for an Article 10 certificate and gives detailed information about the different types of certificate

#### [GN2a – Guidance for first time applicants: commercial use](#)

(PDF, 271KB, 3 pages)

Brief overview of what you need to know

#### [GN6 – Specific CITES guidance for bird of prey keepers](#)

(PDF, 79.9KB, 4 pages)

Guidance of relevance to owners and traders of birds of prey

#### [Guidance on worked specimens](#)

#### [Guidance on EU regime governing intra-EU trade and re-export of ivory](#)

#### [Guidance for trading in Rosewood and Palisander species included in CITES App II](#)

#### [EC Guidance on export, re-export, import and intra-Union trade of rhinoceros horns](#)

Further guidance documents in relation to CITES are available on the [archived web pages](#) on the National Archive website. Please note that this guidance is available for information only and may be out-of-date.

## **Legislation**

CITES is an international agreement which aims to protect endangered species by regulating and restricting the trade in certain species. It is applied within the EU by regulation 338/97.

### **EU Legislation**

- [EU Council Regulation \(EC\) No 338/97](#) – this is the EU regulation which

applies the Convention on International Trade in Endangered Species (CITES) in European law. It sets out the requirements for trade within the EU and with countries outside of the EU.

- [EU Commission Regulation \(EC\) No. 865/2006](#) – this document is a consolidated version of (EC) No 865/2006 incorporating 100/2008, 791/2012, 792/2012 and 1283/2013. It is intended purely as a documentation tool on how 338/97 is to be implemented and is not a legal document in its own right. If you wish to refer to the individual regulations and amendments please use the links below.
- [EU Commission Regulation \(EC\) No. 100/2008](#)
- [EU Commission Regulation \(EC\) No 791/2012](#)
- [EU Commission Regulation \(EC\) No 792/2012](#)

The changes to 865/2006 which have been implemented by EU regulations No 2015/56 and 2015/57 have not been consolidated in the above document and are below.

- [EU Commission Regulation \(EU\) No 2015/57](#)
- [EU Commission Regulation \(EC\) No 2017/160](#) provides a complete list of species controlled by CITES under the EU regulations
- [EU Commission Regulation \(EC\) No. 2017/1915](#) – this regulation lists the specimens which are banned for import into the EU under CITES
- [EU Commission Regulation \(EC\) No. 2015/870](#) – replaces EU Commission Regulation (EC) No. 2015/56.

## UK legislation

The Control of Trade in Endangered Species (Enforcement) Regulations creates offences in relation to Regulation 338/97 and allows CITES to be enforced within the UK.

- [Control of Trade in Endangered Species \(COTES\)](#) -1997
- [Control of Trade in Endangered Species \(COTES\)](#) – 2005 Amendment
- [Control of Trade in Endangered Species \(COTES\)- 2007 Amendment](#)
- [The Control of Trade in Endangered Species \(Enforcement\) \(Amendment\) Regulations](#) – 2009 amendment

## Release of information

Information supplied in applications may be used for the purposes of monitoring compliance of EC Regulations 338/97 and 865/2006 and the investigation of possible offences.

The information may be passed to UK Border Force under the provisions of Article 14 of Regulation 338/97 and to the Police and the National Wildlife Crime Unit (NWCU) for the purposes of gathering and analysing intelligence on possible wildlife crimes.

Information (including personal data) may also be released on request to other enforcement authorities, under the Environmental Information Regulations, the Code of Practice on Access to Government Information and the Freedom of Information Act 2000.

It is a condition of making an application that you agree to the department passing on information to these organisations.

## Contacts

Tel: +44 (0) 3000 200 301

Fax: +44 (0) 28 415 2510

Email: [wildlife.licensing@apha.gsi.gov.uk](mailto:wildlife.licensing@apha.gsi.gov.uk)

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## Collection: Green belt statistics

*Updated:* Added 'Local authority green belt statistics for England: 2017 to 2018'.

These statistics present information on designated green belt land in England by local authority.

### Feedback

We are interested in understanding more about how our land use data is used and the decisions they inform. This is important for us so we can provide a high quality service which meets users' needs.

We would be grateful if you could spend 3 minutes completing this [survey](#). Otherwise contact us at [planning.statistics@communities.gov.uk](mailto:planning.statistics@communities.gov.uk).

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## **Statutory guidance: SR2012 No 15: storage of electrical insulating oils**

*Updated:* Added to 'details' section: You can apply online for most standard rules environmental permits.

The oils will normally be destined for recovery and re-use, although some of the oil may be unsuitable and will be disposed of.

You can apply online for most standard rules environmental permits.

[Apply for a standard rules environmental permit.](#)

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## **Statutory guidance: SR2012 No 7: composting in open systems**

*Updated:* Added to 'details' section: You can apply online for most standard rules environmental permits.

Standard rules guidance to allow you to operate a composting facility involving the storage, physical treatment and composting of specified biodegradable wastes.

These rules allow you to accept no more than 75 tonnes of waste per day.

You can apply online for most standard rules environmental permits.

[Apply for a standard rules environmental permit.](#)