

Statutory Document No. 2011/0956

*Endangered Species Act 2010***ENDANGERED SPECIES ORDER 2011<sup>1</sup>**

*Laid before Tynwald:* 13 December 2011  
*Approved by Tynwald:* 13 December 2011  
*Coming into Operation:* 1 January 2012

The Department of Environment, Food and Agriculture, after consulting the Wildlife Committee, makes this Order under section 4 of the Endangered Species Act 2010<sup>1</sup>.

**1 Title**

This Order is the Endangered Species Order 2011.

**2 Commencement**

This Order comes into operation on 1 January 2012.

**3 Interpretation**

In this Order —

“**the Act**” means the Endangered Species Act 2010;

“**the 1996 Regulation**” means Council Regulation (EC) No. 338/97 of 9 December 1996 on the protection of species of wild fauna and flora by regulating trade therein<sup>2</sup>, as it has effect from time to time.

**4 Designation of species**

Subject to articles 5 and 6, for the purposes of the Act —

- (a) any species of animal or plant listed in Annex A to the 1996 Regulation is designated as falling within Class A;
- (b) any species of animal or plant listed in Annex B to the 1996 Regulation is designated as falling within Class B;
- (c) any species of animal or plant listed in Annex C to the 1996 Regulation is designated as falling within Class C.

<sup>1</sup> 2010 c.7

<sup>2</sup> OJ L 61, 3.3.1997, p.1

**5 Treatment of certain specimens**

For the purposes of the Act (except section 13) —

- (a) an animal of a Class A species which was born and bred in captivity shall be treated as an animal of Class B, or
- (b) a plant of a Class A species which was artificially propagated shall be treated as a plant of Class B.

**6 Treatment of hybrids**

(1) For the purposes of the Act —

- (a) subject to sub-paragraph (b), an animal or plant shall be treated as an animal or plant of a prescribed species if at least one of its parents is of a prescribed species;
- (b) where the parents of an animal or plant are of species of different prescribed classes, the animal or plant shall be treated as of the species of the higher class.

(2) For the purpose of paragraph (1)(b) —

- (a) Class A is higher than Class B, and
- (b) Class B is higher than Class C.

MADE 15 NOVEMBER 2011

## ENDNOTES

### Table of Endnote References

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<sup>1</sup> The format of this legislation has been changed as provided for under section 75 of, and paragraph 2 of Schedule 1 to, the Legislation Act 2015. The changes have been approved by the Attorney General after consultation with the Clerk of Tynwald as required by section 76 of the Legislation Act 2015.