Sue Hayman
Luke Pollard
Thangam Debbonaire

Withdrawn after debate 9

Clause 12, page 7, line 40, at end insert—

“(1A) For the purposes of subsection (1), a person facilitates a breach of the prohibition if he or she, whilst not directly engaged in the process of a sale, acts in such a way as to allow that sale, or other form of dealing, to occur.”
Ivory Bill, continued

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Clause 12, page 8, line 1, leave out subsection (2)

Clause agreed to.

Clause 13 agreed to.

Schedule 1, page 31, line 22, at end insert—
“(d) the circumstances in which the Secretary of State would consider criminal sanctions more appropriate than civil sanctions.”

Schedule agreed to.

Clauses 14 to 19 agreed to.

Schedule 2 agreed to.

Clauses 18 to 34 agreed to.

Clause 35, page 20, line 40, leave out “an elephant” and insert “a hippopotamus, elephant, killer whale, narwhal, sperm whale, or walrus.”

Clause 35, page 21, line 3, leave out from “subsection” to the end of line 5

Clause agreed to.

Clauses 36 to 42 agreed to.
Ivory Bill, continued

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To move the following Clause—

“Reporting requirements: Exemption certificates

(1) As soon as reasonably practicable after the end of each calendar year, the Secretary of State must—
   (a) prepare a report on applications for exemption certificates that have been granted during that year, and—
      (i) lay a copy of that report before Parliament, and
      (ii) publish the report.
   (2) Subsection (1) does not apply in relation to a year if section 3 of this Act has not been in force at any time in that year.
   (3) A report prepared under this section must include the following in respect of each exemption certificate granted—
      (a) the description or descriptions provided in accordance with section 3(1)(b) by the person that applied for the exemption certificate,
      (b) the photograph or photographs provided in accordance with section 3(1)(c) by the person that applied for the exemption certificate,
      (c) when the certificate was granted, and
      (d) any other information that the Secretary of State considers appropriate.”

Sue Hayman
Luke Pollard
Thangam Debbonaire

To move the following Clause—

“Report on the international ivory market

(1) Within 12 months of section 1 of this Act coming into force, the Secretary of State must publish and lay before each House of Parliament a report on the international ivory market.
(2) The report must as far as practicable analyse the impact of this Act on the demand for ivory in the United Kingdom and in other countries.
(3) The report must consider—
   (a) the impact on nations or communities that generate income from ivory of—
      (i) the provisions of this Act, and
      (ii) international agreements related to the ivory trade, and
   (b) the work of the Department for International Development in—
      (i) reducing the global demand for ivory, and
      (ii) mitigating any negative impact of the provisions of this Act on nations or communities that generate an income from ivory.”
Ivory Bill, continued

Sue Hayman
Luke Pollard
Thangam Debbonaire

Negatived on division NC3

To move the following Clause—

“Assessment of enforcement resources
(1) Within 12 months of section 12 of this Act coming into force, the Secretary of State must make an assessment on the resources available to enforce the prohibition.
(2) The report shall consider in particular—
   (a) the resources allocated or planned to be allocated towards enforcing the prohibition,
   (b) the potential impact of any change in resources so allocated or planned to be allocated, and
   (c) the impact on other law or border enforcement activities of the resources so allocated or planned to be allocated.
(3) The Secretary of State shall lay a report of the assessment under this section before each House of Parliament as soon as practicable after its completion.”

Not called NC4

To move the following Clause—

“Record of item provenance
(1) The Secretary of State shall make arrangements for persons—
   (a) applying for an exemption certificate under section 3, or
   (b) registering an item under section 10
   to be able to associate the item to which the application or registration relates with previous registrations or previously issued exemption certificates.
(2) Where an exemption certificate is issued in respect of an item, or where an item has been previously registered, and the Secretary of State is satisfied that the item has previously been registered or had exemption certificates issued in respect of it, the exemption certificate or registration shall record all previous exemption certificates issued or registrations made in respect of that item, including the dates on which any certificates were issued or registrations made.”
To move the following Clause—

“Power to require service providers to block access to material that facilitates a breach of the prohibition

(1) Where a person (“the non-complying person”) is making material available on the internet to persons in the United Kingdom in order to—
   (a) breach the prohibition,
   (b) cause the prohibition to be breached, or
   (c) facilitate a breach of the prohibition,
the Secretary of State may give a notice under this subsection to any internet service provider.

(2) The notice must—
   (a) identify the non-complying person in such manner as the Secretary of State considers appropriate,
   (b) require the internet service provider—
       (i) to take steps specified in the notice, or
       (ii) (if no such steps are specified) to put in place arrangements that appear to the provider to be appropriate,
so as to prevent persons in the United Kingdom from being able to access the offending material using the service it provides,
   (c) provide such information as the Secretary of State considers may assist the internet service provider in complying with any requirement imposed by the notice,
   (d) provide such further particulars as the Secretary of State considers appropriate.

(3) The notice may specify the time by which the internet service provider must have complied with any requirement imposed by the notice.

(4) The notice may be varied or revoked by a further notice under subsection (1).

(5) It is the duty of an internet service provider to comply with any requirement imposed on it by a notice under subsection (1).

(6) That duty is enforceable in civil proceedings by the Secretary of State—
   (a) for an injunction,
   (b) for specific performance of a statutory duty under section 45 of the Court of Session Act 1988, or
   (c) for any other appropriate relief or remedy.

(7) In this section “the offending material”, in relation to a non-complying person, means the material which the Secretary of State considers is being made available in order to—
   (a) breach the prohibition,
   (b) cause the prohibition to be breached, or
   (c) facilitate a breach of the prohibition.”

Bill to be reported.