

Hunting Trophies (Import Prohibition) Bill

EXPLANATORY NOTES

Explanatory notes to the Bill, prepared by the Department for Environment, Food and Rural Affairs with the consent of Henry Smith, the member in charge of the Bill, are published separately as Bill 26—EN.

Hunting Trophies (Import Prohibition) Bill

[AS INTRODUCED]

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[AS INTRODUCED]

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TO

Make provision prohibiting the import of hunting trophies into Great Britain.

BE IT ENACTED by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1 Import prohibition

- (1) It is prohibited to bring a hunting trophy into Great Britain where—
- (a) the hunting trophy is of an animal to which this Act applies,
 - (b) the hunting trophy is brought into Great Britain by or on behalf of the hunter, 5
 - (c) the hunting trophy is brought into Great Britain in the course of transferring it from the place where the animal was hunted to a place where the hunter resides, and
 - (d) the animal was hunted on or after the day on which this section comes into force. 10
- (2) In this Act “hunting trophy” means the body of an animal, or a readily recognisable part or derivative of an animal, that—
- (a) is obtained by a person (“the hunter”) through hunting the animal, and
 - (b) is obtained for the hunter’s personal use (which does not include consumption), 15
- whether or not the body, part or derivative has been processed in any way.
- (3) Nothing in the Wildlife Trade Regulations operates to prohibit, or impose restrictions or conditions on, bringing a hunting trophy into Great Britain in circumstances where that is prohibited under subsection (1). 20
- (4) In subsection (3) “the Wildlife Trade Regulations” means—
- (a) Council Regulation (EC) No. 338/97 of 9 December 1996 on the protection of species of wild fauna and flora by regulating trade therein (in this Act, the “Principal Wildlife Trade Regulation”);
 - (b) Commission Regulation (EC) No. 865/2006 of 4 May 2006; 25
 - (c) Commission Implementing Regulation (EU) No. 792/2012 of 23 August 2012;

- (d) Commission Implementing Regulation (EU) No. 2019/1587 of 24 September 2019.

2 Animals to which the import prohibition relates

- (1) This Act applies to—
- (a) an animal of a species listed in Annex A or B of the Principal Wildlife Trade Regulation, subject to such exceptions as may be specified in regulations made by the Secretary of State, and 5
 - (b) an animal of such other species as may be so specified.
- (2) Regulations under subsection (1) may make—
- (a) different provision for different purposes; 10
 - (b) consequential, incidental, supplementary, transitional, transitory or saving provision.
- (3) Regulations under subsection (1) are to be made by statutory instrument.
- (4) The Secretary of State may not make a statutory instrument containing (whether alone or with other provision) the first regulations under subsection (1)(b) unless a draft of the instrument has been laid before, and approved by a resolution of, each House of Parliament. 15
- (5) Any other statutory instrument made by the Secretary of State that contains regulations under this section is subject to annulment in pursuance of a resolution of either House of Parliament. 20

3 Supplementary provision about the import prohibition

- (1) In this Act a reference to bringing a hunting trophy into Great Britain is a reference to—
- (a) importing it into the United Kingdom as a result of its entry into Great Britain, or 25
 - (b) removing it from Northern Ireland to Great Britain.
- (2) The Customs and Excise Management Act 1979 applies in relation to the removal of a hunting trophy from Northern Ireland to Great Britain in contravention of the prohibition in section 1(1) as it applies in relation to importing a hunting trophy as specified in subsection (1)(a) in contravention of that prohibition. 30
- (3) The prohibition in section 1(1) does not apply in relation to the removal of qualifying Northern Ireland goods from Northern Ireland to Great Britain.
- (4) In subsection (3) “qualifying Northern Ireland goods” has the same meaning as it has in the European Union (Withdrawal) Act 2018, including any meaning defined for the purposes of that Act from time to time by regulations made under section 8C(6) of that Act (and, if those regulations provide for different meanings to be defined for different purposes of that Act, regulations under section 8C(6) may make provision about the meaning or meanings that are to apply for the purposes of this Act). 35 40

4 Extent, commencement and short title

- (1) This Act extends to England and Wales, Scotland and Northern Ireland.
- (2) Sections 1 and 2 come into force on such day as the Secretary of State may by regulations appoint.
- (3) The other provisions of this Act come into force on the day on which this Act is passed. 5
- (4) The Secretary of State may by regulations made by statutory instrument make transitional or saving provision in connection with the coming into force of sections 1 and 2.
- (5) Regulations under this section are to be made by statutory instrument. 10
- (6) This Act may be cited as the Hunting Trophies (Import Prohibition) Act 2023.

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Presented by Henry Smith

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