

Ivory Bill

AMENDMENTS
TO BE MOVED
IN COMMITTEE OF THE WHOLE HOUSE

Clause 1

LORD CORMACK

Re-tabled version of the amendment printed on sheet HL Bill 119(d) to include explanatory statement

Page 1, line 5, at end insert “unless it has been certified that the object containing the ivory was created before 1918”

Member's explanatory statement

This amendment is designed to ensure that steps taken to enforce the Bill are directed primarily at those who poach, use and trade in poached ivory.

Re-tabled version of the amendment printed on sheet HL Bill 119(d) to include explanatory statement

Page 1, line 15, leave out from “ivory” to end of line 16 and insert “includes buying ivory, or hiring it as the borrower, outside the United Kingdom unless it has been certified that the object containing ivory was created before 1918;”

Member's explanatory statement

This amendment is designed to ensure that steps taken to enforce the Bill are directed primarily at those who poach, use and trade in poached ivory.

THE EARL OF KINNOULL

Page 1, line 23, at end insert –

“() For the avoidance of doubt, nothing in this section shall be deemed as applying to bona fide insurance or re-insurance transactions involving UK-licensed insurers.”

Member's explanatory statement

This is a technical amendment designed to address various insurance and re-insurance problems.

Clause 2

LORD DE MAULEY
LORD CARRINGTON OF FULHAM

Page 2, line 11, leave out “pre-1918” and insert “pre-1947”

Clause 2 - continued

LORD CARRINGTON OF FULHAM
LORD DE MAULEY

Page 2, line 12, at beginning insert “in the case of an item incorporating a volume of ivory of not less than 30 cm³,”

Page 2, line 12, at end insert “or is similar to items already included in or suitable for addition to the collection of a qualifying museum”

Page 2, line 25, at end insert “, which must be an institution with expertise in identifying and dating objects incorporating or made entirely from ivory”

Clause 3

LORD CARRINGTON OF FULHAM
LORD DE MAULEY

Page 2, line 38, at end insert “but with no requirement to proceed with the dealing in the item in the future”

Clause 5

LORD CARRINGTON OF FULHAM
LORD DE MAULEY

Page 4, line 34, at end insert –

“() An appeal under subsection (1)(b) must be heard by qualified experts in the item in respect of which that appeal is being made.”

Clause 6

LORD CORMACK

Re-tabled version of the amendment printed on sheet HL Bill 119(d) to include explanatory statement

Page 5, line 4, leave out “with a surface area of no more than 320cm²”

Member's explanatory statement

Not all miniatures would be covered by this limit. This amendment would allow more flexibility in judging miniatures.

Clause 7

LORD CORMACK
LORD DE MAULEY
LORD CARRINGTON OF FULHAM

Re-tabled version of the amendment printed on sheet HL Bill 119(d) to include explanatory statement

Page 5, line 13, leave out “10%” and insert “20%”

Member's explanatory statement

This amendment is designed to simplify the bureaucratic arrangements which will follow the enactment of this Bill.

Clause 7 - continued

LORD CARRINGTON OF FULHAM
LORD DE MAULEY

Page 5, line 13, leave out “10%” and insert “50%”

LORD DE MAULEY
LORD CARRINGTON OF FULHAM

Page 5, line 15, at end insert “, or the volume of the ivory is less than 15 cubic centimetres”

LORD CARRINGTON OF FULHAM
LORD DE MAULEY

Page 5, line 17, at end insert “or it is integral to the item’s design and contemporaneous with the item”

Page 5, line 17, at end insert –

“(3) For the purposes of subsection (1)(c) it is sufficient that the volume of ivory and the total volume of the material of which the item is made be estimated, without any intervention that may damage the item or cause a diminution in its financial value.”

Clause 8

LORD CORMACK

Re-tabled version of the amendment printed on sheet HL Bill 119(d) to include explanatory statement

Page 5, line 21, leave out “20%” and insert “30%”

Member's explanatory statement

This amendment is designed to simplify the bureaucratic arrangements which will follow the enactment of this Bill.

LORD DE MAULEY
LORD CARRINGTON OF FULHAM

Page 5, line 23, at end insert “, or the volume of the ivory is less than 15 cubic centimetres”

LORD CARRINGTON OF FULHAM
LORD DE MAULEY

Page 5, line 28, at end insert –

“(3) For the purposes of subsection (1)(b) it is sufficient that the volume of ivory and the total volume of the material of which the item is made be estimated, without any intervention that may damage the item or cause a diminution in its financial value.”

Clause 9

LORD CARRINGTON OF FULHAM
LORD DE MAULEY

Page 5, line 37, at end insert –

“() In respect of an item registered under subsection (2)(b) there is no obligation on the part of either the qualifying museum or the other person dealing to proceed with the sale, purchase or hire of the item.”

Clause 10

LORD CARRINGTON OF FULHAM
LORD DE MAULEY

Page 6, line 40, at end insert “, such fee not to exceed £5”

THE EARL OF KINNOULL

Page 6, line 40, at end insert –

“() When making regulations under subsection (1)(g), the Secretary of State must set fees so as to encourage registration and must consider varying those fees for items of low value.”

Member's explanatory statement

This amendment is intended to ensure maximum public usage of the registration process by setting fees attractively.

Clause 11

LORD CORMACK

Re-tabled version of the amendment printed on sheet HL Bill 119(d) to include explanatory statement

Page 7, line 13, leave out from “section 10” to the end of line 15 and insert “remains valid if the ownership of the item passes by inheritance to a member of the family of the registered owner.”

Member's explanatory statement

This amendment is designed to simplify the bureaucratic arrangements which will follow the enactment of this Bill.

Clause 14

LORD CARRINGTON OF FULHAM
LORD DE MAULEY

Page 9, line 5, at end insert “, such officer to have specific expertise and training in identifying ivory items”

Clause 17

LORD CARRINGTON OF FULHAM
LORD DE MAULEY

Page 11, line 9, after “State” insert “, who has proven knowledge of and expertise in identifying ivory and its characteristics, and”

Clause 18

LORD CORMACK

Re-tabled version of the amendment printed on sheet HL Bill 119(d) to include explanatory statement

Page 11, line 17, leave out “or an accredited civilian officer”

Member's explanatory statement*This amendment and all the others which are similarly worded have a similar objective to the proposal to delete Clause 17.***Clause 22**

LORD CARRINGTON OF FULHAM

LORD DE MAULEY

Page 14, line 8, at end insert –

“() In respect of a seizure or detention under subsection (2) an officer must take account of the item’s physical nature and must exercise all reasonable care to avoid damage to the item.”

Clause 29

LORD CARRINGTON OF FULHAM

LORD DE MAULEY

Page 17, line 28, leave out paragraphs (a) and (b)

Page 17, line 31, at end insert “, on the advice of a person with expertise in identifying and dating items of the same type as the item forfeited”

Clause 31

LORD CARRINGTON OF FULHAM

LORD DE MAULEY

Page 19, line 25, leave out “a police or customs officer, or”

Page 19, line 26, leave out “the officer or”

Page 19, line 26, at end insert “, taking account of the advice of a person with expertise in identifying and dating items of the same type as the item that cannot be returned”

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5 September 2018
