

# Ivory Bill

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SECOND  
MARSHALLED  
LIST OF AMENDMENTS  
TO BE MOVED  
IN COMMITTEE OF THE WHOLE HOUSE

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*[Amendments marked ★ are new or have been altered]*

**Amendment  
No.**

**Clause 12**

LORD CORMACK  
BARONESS JONES OF WHITCHURCH

36 Page 8, line 7, leave out subsection (2)

BARONESS JONES OF WHITCHURCH

37 Page 8, line 20, leave out “six months” and insert “12 months”

*Member’s explanatory statement*

*This is a probing amendment concerning the discrepancy between the maximum term of imprisonment for breaching the prohibition in Northern Ireland compared to England and Wales, and Scotland.*

**After Clause 13**

BARONESS JONES OF WHITCHURCH  
BARONESS BAKEWELL OF HARDINGTON MANDEVILLE

38 Insert the following new Clause –

**“Report on enforcement resources**

- (1) Within 12 months of section 12 of this Act coming into force, the Secretary of State must make an assessment of the resources available to enforce the prohibition.
- (2) The report must 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

**After Clause 13 - continued**

(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 must lay a report of the assessment under this section before each House of Parliament as soon as practicable after its completion.”

**Member’s explanatory statement**

*This new Clause requires an assessment to be made and laid before Parliament regarding the level of resources allocated or proposed to be allocated to enforcing the prohibition against dealing in ivory.*

**Clause 14**

LORD CARRINGTON OF FULHAM  
LORD DE MAULEY

39 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

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

LORD JUDGE  
BARONESS TAYLOR OF BOLTON  
LORD NORTON OF LOUTH  
LORD WALLACE OF TANKERNES

*The above-named Lords give notice of their intention to oppose the Question that Clause 17 stand part of the Bill.*

**Member’s explanatory statement**

*Leaving out Clause 17 would prevent the appointment of accredited civilian officers with powers of entry and seizure by the Minister.*

**Clause 18**

LORD CORMACK

41 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.*

42 Page 11, line 21, leave out “or an accredited civilian officer”

43 Page 11, line 23, leave out “an accredited civilian officer”

**Clause 18 - continued**

44 Page 11, line 25, leave out “or an accredited civilian officer”

45 Page 11, line 32, leave out paragraph (d)

**Clause 19**

LORD CORMACK

46 Page 12, line 18, leave out “or an accredited civilian officer”

47 Page 12, line 19, leave out “or accredited civilian officer”

48 Page 12, line 22, leave out “or accredited civilian officer”

49 Page 12, line 25, leave out “or an accredited civilian officer”

50 Page 12, line 28, leave out “or accredited civilian officer”

**Clause 22**LORD CARRINGTON OF FULHAM  
LORD DE MAULEY

51 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

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

LORD CORMACK

53 Page 17, line 29, leave out “or accredited civilian officer”

LORD CARRINGTON OF FULHAM  
LORD DE MAULEY

54 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 30**

LORD CORMACK

55 Page 18, line 23, leave out “or an accredited civilian officer”

**Clause 31**

LORD CARRINGTON OF FULHAM  
LORD DE MAULEY

- 56 Page 19, line 25, leave out “a police or customs officer, or”
- 57 Page 19, line 26, leave out “the officer or”
- 58 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”

**After Clause 32**

THE EARL OF SANDWICH  
BARONESS SHEEHAN

- 59 Insert the following new Clause—
- “Report on the impact of this Act on the ivory market**
- (1) Within the period of 12 months of the coming into force of this Act, the Secretary of State must publish and lay before each House of Parliament a report on the impact of this Act on the international ivory market, including the demand for, and trade in, ivory in the United Kingdom and elsewhere.
- (2) The report must also consider—
- (a) the impact of the provisions of this Act on the elephant population in Africa; and
- (b) the work of the Department for International Development in—
- (i) reducing the demand for ivory; and
- (ii) mitigating any negative impact of the provisions of this Act on the nations or communities which are linked to the supply of and trade in ivory, including those who may be affected by an increase in the elephant population.”

BARONESS JONES OF WHITCHURCH

- 60 Insert the following new clause—
- “Report on the international ivory market**
- (1) Within 12 months of section 1 of this Act coming into force, and every 12 months thereafter, the Secretary of State must publish and lay before each House of Parliament a report on the domestic ivory ban.
- (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 include—
- (a) the number of—
- (i) civil penalties imposed, and
- (ii) criminal prosecutions undertaken;
- (b) 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;

**After Clause 32 - continued**

- (c) 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; and
- (d) any other information that the Secretary of State considers appropriate.”

**Member’s explanatory statement**

*This new Clause would require a report to be laid before each House of Parliament on the international ivory market, including how the Department for International Development is working to reduce global demand for ivory.*

**Clause 35**

BARONESS JONES OF WHITCHURCH

61 Page 21, line 3, at end insert—

- “( ) As soon as practicable after this Act is passed, the Secretary of State must consult on amending subsection (1) to include ivory from other animals and species including—
- (a) hippopotami;
  - (b) narwhals; and
  - (c) walruses.”

**Member’s explanatory statement**

*This amendment would require the Secretary of State to consult on extending the ivory ban to the other ivory bearing animals listed as soon as practical after the Act is passed.*

**Schedule 2**

LORD CORMACK

62 Page 36, line 3, leave out “or an accredited civilian officer”

63 Page 36, line 18, leave out “or accredited civilian officer”

**Preamble**

BARONESS JONES OF WHITCHURCH

64 Insert the following Preamble—

“Whereas the 1989 Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) agreed to ban the international trade in African elephant ivory; and the resolution adopted at the 2016 Conference of Parties to CITES agreed to phase out domestic ivory markets which contributed to poaching or illegal trade in ivory:

And whereas it is expedient to give effect in the United Kingdom to the restrictions on domestic trade:”

***Member's explanatory statement***

*This amendment would insert a Preamble linking the Bill to the resolution adopted unanimously by governments at the 2016 Conference of Parties to the UN Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) which called on all governments to close domestic ivory markets which contribute to poaching or illegal trade in ivory.*

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*10 September 2018*

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