



## PRESS RELEASE

No: 136/2019

Date: 27th February 2019

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### Command Paper on Ivory Trade

The Government has published a Command Paper on a draft Bill to make provision for the prohibition of dealing in ivory.

Once enacted, the Ivory Act will be one of the world's firmest laws on the sale of ivory.

Stopping trade in ivory around the world is an important tool in reducing the poaching of elephants, through significantly limiting the legal market for ivory items, in this case in or through Gibraltar. The Bill also helps prevent the laundering of recently poached ivory as old ivory items through legal markets, or its re-exportation to jurisdictions where ivory continues to be a desirable commodity.

The Bill provides for a prohibition on "dealing" in ivory, and defines this as buying, selling or hiring ivory, or offering to do so, keeping ivory for sale or hire, or exporting or importing ivory from Gibraltar for sale or hire, or for personal possession. The ivory ban will not affect ownership of items made of or containing ivory, including inheriting or gifting.

There are limited and narrowly-defined exemptions to the prohibition for certain musical instruments, items containing a small amount of ivory, portrait miniatures, items of historic, cultural or artistic significance, and sales to and between museums. The exemption must be applied for through a certification process administered by the Department of Environment.

The Bill creates new offences for the purposes of enforcing the ban, as well as a range of civil sanctions. Criminal offences could lead to imprisonment on summary conviction for a term not exceeding 6 months and a fine, and on conviction on indictment, to imprisonment for a term not exceeding five years or a fine (or both). Police and Customs Officers have been provided with the necessary powers to enforce the ban, including abilities to obtain warrants to search premises and forfeit goods.

Minister for the Environment John Cortes commented, "The plight of elephants is now well known, and the real threat posed by the ivory trade on their very existence on our planet is a cause of great concern. As legislation tightens around the world, illegal traders will be looking for soft jurisdictions. Gibraltar takes its international reputation extremely seriously and will continue to

Ministry of Education, Heritage, Environment, Energy and Climate Change



be at the forefront of initiatives to protect the world's environment. This legislation will send a clear message to those who doubt our environmental credentials, which extend well beyond our shores".

The Command Paper can be accessed at <https://gibraltarlaws.gov.gi/commandpapers.php>

Comments on this Command Paper should be sent no later than 12th March 2019 by email to [command.papers@gibraltar.gov.gi](mailto:command.papers@gibraltar.gov.gi) or delivered to –

Command Papers Consultation c/o Karl Tonna, Ministry of Health Care and Justice, Zone 1, Level 7, St Bernard's Hospital, Harbour Views Road, Gibraltar

Any comments received later than 12th March 2019 may not be taken into account for the purposes of the relevant consultation.