



THE TRADE IN ENDANGERED SPECIES ORDER 1991

CATHERINE A. TIZARD, Governor-General

ORDER IN COUNCIL

At Wellington this 22nd day of July 1991

Present:

HER EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to section 53 of the Trade in Endangered Species Act 1989, Her Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following order.

ORDER

1. Title and commencement—(1) This order may be cited as the Trade in Endangered Species Order 1991.

(2) This order shall come into force on the 28th day after the date of its notification in the *Gazette*.

2. Interpretation—In this order, “the Act” means the Trade in Endangered Species Act 1989.

3. Schedules to Act amended—(1) The First Schedule to the Act is hereby amended by omitting the items specified in Section A of the First Schedule to this order, and substituting in their appropriate alphabetical order the items specified in Section B of the First Schedule to this order.

(2) The Second Schedule to the Act is hereby amended by omitting the items specified in Section A of the Second Schedule to this order, and

substituting in their appropriate alphabetical order the items specified in Section B of the Second Schedule to this order.

(3) Part III of the Second Schedule to the Act is hereby amended by omitting from the second column the expression “‡” in both places where it occurs, and substituting in each case the expression “*”.

(4) The footnotes to Part III of the Second Schedule to the Act are hereby amended by omitting the footnote “‡Excludes ... seedling cultures”, and substituting after the first footnote the following footnote:

“**Excludes—

“(a) Seeds and pollen; and

“(b) Tissue cultures and flasks seedling cultures; and

“(c) Chemical derivatives”.

(5) The Third Schedule to the Act is hereby amended by omitting the items specified in Section A of the Third Schedule to this order, and substituting in their appropriate alphabetical order the items specified in Section B of the Third Schedule to this order.

SCHEDULES

Clause 3 (1)

FIRST SCHEDULE
AMENDMENTS TO FIRST SCHEDULE TO ACT
SECTION A
ITEMS TO BE OMITTED FROM FIRST SCHEDULE TO ACT
PART I—ANIMALS
Division 1—Class Mammalia

Order	Family	Genus, species or sub-species	Common name
CARNIVORA	Felidae	Felis pardalis mearnsi Felis pardalis mitis Felis tigrina oncilla Felis wiedii nicaraguae Felis wiedii salvinia	ocelot, Costa Rican ocelot, Brazilian cat, tiger or little spotted margay, Nicaraguan margay, Guatemalan
	Ursidae	Selenarctos thibetanus Ursus arctos nelsoni	bear, Himalayan (black) or Asiatic black bear, Mexican (grizzly)

Division 5—Class Pisces

Order	Family	Genus, species or sub-species	Common name
OSTEOGLOSSIFORMES	Osteoglossidae	Scleropages formosus	bonytongue, Asian or Asiatic, kelesa dragon fish, golden arowana

FIRST SCHEDULE—*continued*SECTION A—*continued*

PART II—POPULATIONS OF ANIMALS

Populations of animals of the species *Vicugna vicugna* (vicuna, vicugna) other than part of the population of Parinacota Province, Ia. Region of Tarapacá, Chile; and other populations of Pampas Galeras National Reserve and Nuclear Zone, Pedregal, Oscontta and Sawacocho (Province of Lucanas), Sais Picotani (Province of Azangaro), Sais Tupac Amaru (Province of Janín), and of Salinas Aguada Blanca National Reserve (Provinces of Arequipa and Cailloma), Peru.

Populations of animals of the species *Aonyx congica* (Cameroon clawless/small-clawed/small-toothed otter) in Cameroon and Nigeria.

Populations of animals of the species *Crocodylus niloticus* (Nile or African crocodile) other than the population of Zimbabwe, and populations of Botswana, Cameroon, Congo, Kenya, Madagascar, Malawi, Mozambique, the Sudan, the United Republic of Tanzania, and Zambia subject to annual export quotas.

PART III—PLANTS

Family	Genus, species or sub-species	Common name
ARACEAE	<i>Alocasia zebrina</i>	
CACTACEAE	<i>Echinocereus lindsayi</i>	cactus, Lindsay's
	<i>Turbiniocarpus laui</i>	
	<i>Wilcoxia schmollii</i>	
CARYOCARACEAE	<i>Caryocarp costaricense</i>	
COMPOSITAE	<i>Saussurea lappa</i>	
GENTIANACEAE	<i>Prepusa hookeriana</i>	prepusa, scarlet flowered or white flowered. chiricana. ira
HUMIRIACEAE	<i>Vantanea barbourii</i>	
JUGLANDACEAE	<i>Engelhardtia pterocarpa</i>	
LEGUMINOSAE	<i>Cynometra hemitomophylla</i>	
	<i>Platymiscium pleiostachyum</i>	macawood, quiva
	<i>Tachigalia versicolor</i>	
MELASTOMATACEAE	<i>Lavoisiera itambana</i>	
MELIACEAE	<i>Guarea longipetiola</i>	musk, wood
MORACEAE	<i>Batocarpus costaricensis</i>	
ORCHIDACEAE	<i>Paphiopedilum druryi</i>	
PODOCARPACEAE	<i>Podocarpus costalis</i>	
SARRACENIACEAE	<i>Sarracenia alabamensis</i> sub-species <i>alabamensis</i>	pitcher plant, Alabama canebrake
	<i>Sarracenia jonesii</i>	pitcher plant, Jones' or mountain sweet
WELWITSCHIACEAE	<i>Welwitschia mirabilis</i> (<i>bainesii</i>)	

SECTION B
 ITEMS TO BE SUBSTITUTED IN FIRST SCHEDULE TO ACT
 PART I—ANIMALS
 Division 1—Class Mammalia

Order	Family	Genus, species or sub-species	Common name
ARTIODACTYLA CARNIVORA	Bovidae	Cephalophus jentinki	duiker, Jetink's
	Felidae	Felis pardalis Felis pardina Felis tigrina Felis wiedii	ocelot lynx, Spanish cat, little spotted margay
CHIROPTERA	Ursidae	Melursus ursinus Selenarctos (Ursus) thibetanus	bear, sloth bear, Himalayan (black) or Asiatic black
	Pteropodidae	Pteropus insularis	flying fox, Truk Is, Caroline Is
		Pteropus mariannus	flying fox, Mariana Is
		Pteropus molossinus	flying fox, East Caroline Is
		Pteropus phaeocephalus	flying fox, Mortlock Is, Tauu Is, Central Caroline Is
		Pteropus pilosus	flying fox, Palau Is
		Pteropus samoensis	flying fox, Samoan
PROBOSCIDEA	Elephantidae	Pteropus tonganus Loxodonta africana	flying fox, insular elephant, African

FIRST SCHEDULE—*continued*SECTION B—*continued*PART I—ANIMALS—*continued*

Division 2—Class Aves

Order	Family	Genus, species or sub-species	Common name
PASSERIFORMES	Hirundinidae	Pseudochelidon sirintarae	martin, white-eyed river
	Pittidae	Pitta gurneyi	pitta, Gurney's
PSITTACIFORMES	Psittacidae	Amazona tucumana	amazon, Tucuman; alder parrot
		Ara maracana	macaw, blue-winged; Illiger's macaw
		Cacatua moluccensis	cockatoo, salmon-crested

Division 5—Class Pisces

Order	Family	Genus, species or sub-species	Common name
COELACANTHIFORMES	Coelacanthidae	Latimeria chalumnae	coelacanth

PART II—POPULATIONS OF ANIMALS

Populations of animals of the species *Vicugna vicugna* (vicuna, vicugna) other than part of the population of Parinacota Province, Ia. Region of Tarapacá, Chile; and other than populations of Pampa Galeras National Reserve and Nuclear Zone, Pedregal, Oscontata and Sawacochoa (Province of Lucanas), Sais Picotani (Province of Azangaro), Sais Tupac Amaru (Province of Janín), and of Salinas Aguada Blanca National Reserve (Provinces of Arequipa and Cailloma), Peru.

Populations of animals of the species *Aonyx congica* (*microdon*) (*Paraonyx microdon*) (Cameroon clawless/ small-clawed/small-toothed otter) in Cameroon and Nigeria.

Populations of animals of the species *Crocodylus niloticus* (Nile or African crocodile) other than the populations of Botswana, Malawi, Mozambique, Zambia, and Zimbabwe and populations of Cameroon, Congo, Ethiopia, Kenya, Madagascar, Somalia, Sudan and the United Republic of Tanzania subject to annual export quotas.

Population of animals of the species *Ursus arctos* (brown bear) in Mexico.

Populations of animals of the species *Scleropages formosus* other than the population of Indonesia.

PART III—PLANTS

Family	Genus, species or sub-species	Common name
APOCYNACEAE	<i>Pachypodium baronii</i> <i>Pachypodium brevicaule</i> <i>Pachypodium decaryi</i>	
CACTACEAE	<i>Echinocereus ferreianus</i> var <i>lindsayi</i> <i>Echinocereus</i> (<i>Wilcoxia</i>) <i>schmollii</i> <i>Turbincarpus</i> (<i>Neolloydia</i>) <i>laui</i>	cactus, Lindsay's
COMPOSITAE	<i>Saussurea costus</i> (<i>lappa</i>)	
EUPHORBIACEAE	<i>Euphorbia ambovombensis</i> <i>Euphorbia cylindrifolia</i> <i>Euphorbia decaryi</i> <i>Euphorbia francoisii</i> <i>Euphorbia moratii</i> <i>Euphorbia parvicyathophora</i> <i>Euphorbia primulifolia</i> <i>Euphorbia quartziticola</i> <i>Euphorbia tulearensis</i>	
JUGLANDACEAE	<i>Oreomunnea</i> (<i>Engelhardtia</i>) <i>pteroarpa</i>	
ORCHIDACEAE	All species of <i>Paphiopedilum</i> All species of <i>Phragmipedium</i>	
SARRACENIACEAE	<i>Sarracenia alabamensis</i> (<i>rubra</i>) <i>alabamensis</i> <i>Sarracenia</i> (<i>rubra</i>) <i>jonesii</i>	pitcher plant. Alabama canebrake pitcher plant, Jones' or mountain sweet
ZAMIACEAE	All species of <i>Chigua</i>	

SECOND SCHEDULE
 AMENDMENTS TO SECOND SCHEDULE TO ACT
 SECTION A
 ITEMS TO BE OMITTED FROM SECOND SCHEDULE TO ACT
 PART I—ANIMALS
 Division 1—Class Mammalia

Order	Family	Genus, species or sub-species	Common name
ARTIODACTYLA CHIROPTERA	Bovidae Pteropodidae	Cephalophus jentinki	duiker, Jentink's
		Dead specimens of Pteropus insularis	flying fox, Truk Is, Caroline Is
		Dead specimens of Pteropus macrootis	flying fox, big-eared
		Dead specimens of Pteropus mariannus	flying fox, Marianas Is
		Dead specimens of Pteropus molossinus	flying fox, East Caroline Is
		Dead specimens of Pteropus phaeocephalus	flying fox, Mortlock Is, Tauu Is, Central Caroline Is
		Dead specimens of Pteropus pilosus	flying fox, Palau Is
		Dead specimens of Pteropus samoensis	flying fox, Samoa
		Dead specimens of Pteropus tokudae	flying fox, Guam
		Dead specimens of Pteropus tonganus	flying fox, insular
PROBOSCIDEA	Elephantidae	Loxodonta africana	elephant, African

Division 2—Class Aves

Order	Family	Genus, species or sub-species	Common name
CORACIIFORMES	Bucerotidae	Buceros rhinoceros rhinoceros	hornbill, Malayan rhinoceros
GALLIFORMES	Phasianidae	Francolinus ochropectus	francolin, Tadjoura or pale-bellied or Dorst's
		Francolinus swierstrai	francolin, Swierstra's
PASSERIFORMES	Hirundinidae	Pseudochelidon sirintarae	martin, white-eyed river

Division 3—Class Reptilia

Order	Family	Genus, species or sub-species	Common name
SAURIA	Teiidae	Dracaena guianensis	lizard, caiman or four-foot caiman. armoured teyou croco-teju

Division 5—Class Pisces

Order	Family	Genus, species or sub-species	Common name
ATHERINIFORMES	Poeciliidae	Xiphonphorus couchianus	playfish, moneterrey
COELACANTHIFORMES	Coelacanthidae	Latimeria chalumnae	coelacanth

SECOND SCHEDULE—*continued*SECTION A—*continued*PART I—ANIMALS—*continued*

Division 10—Class Anthozoa

Order	Family	Genus, species or sub-species	Common name
SCLERACTINIA	Acroporidae	All species of Acropora	
	Agariciidae	All species of Pavona	
	Caryophylliidae	All species of Euphyllia	
	Faviidae	All species of Favia	
		All species of Platygyra	
	Fungiidae	All species of Fungia	
		All species of Halomitra	
		All species of Polyphyllia	
	Merulinidae	All species of Merulina	
	Mussidae	All species of Lobophyllia	
	Pectiniidae	All species of Pectinia	
Pocilloporidae	All species of Pocillopora		
		All species of Seriatopora	
		All species of Stylophora	

Division 11—Class Hydrozoa

Order	Family	Genus, species or sub-species	Common name
ATHECATA	Milleporidae	All species of Millepora	

Division 12—Class Alcyonaria

Order	Family	Genus, species or sub-species	Common name
COENOTHECALIA	Helioporidae	All species of Heliopora	
STOLONIFERA	Tubiporidae	All species of Tubipora	

PART II—POPULATIONS OF ANIMALS

Population of animals of any sub-species of the species *Ursus arctos* (other than sub-species specified in Schedule I) in North America and Europe except the U.S.S.R.

PART III—PLANTS

Family	Genus, species or sub-species	Common name
PALMAE	*Phoenix hanceana var. philippinensis	
STERCULIACEAE	*Salacca clemensiana *Pterygota excelsa (Basiloxylon excelsum)	

SECOND SCHEDULE—*continued*

SECTION B

ITEMS TO BE SUBSTITUTED IN SECOND SCHEDULE TO ACT

PART I—ANIMALS

Division 1—Class Mammalia

Order	Family	Genus, species or sub-species	Common name
CHIROPTERA	Pteropodidae	All species of <i>Acerodon</i> Species of <i>Pteropus</i> other than species specified in Part I of First Schedule	bats, fruit flying fox

Division 2—Class Aves

Order	Family	Genus, species or sub-species	Common name
CORACIIFORMES	Bucerotidae	<i>Buceros rhinoceros</i>	hornbill, rhinoceros
PASSERIFORMES	Pittidae	<i>Pitta guajana</i>	pitta, blue-tailed; banded

Division 3—Class Reptilia

Order	Family	Genus, species or sub-species	Common name
SAURIA	Teiidae	All species of <i>Dracaena</i>	caiman lizard
SERPENTES	Xenosauridae	<i>Shinisaurus crocodilurus</i>	dhaman, common rat snake, oriental rat snake
	Colubridae	<i>Ptyas mucosus</i>	Asiatic cobra
	Elapidae	<i>Naja naja</i> <i>Ophiophagus hannah</i>	King cobra

Division 10—Class Anthozoa

Order	Family	Genus, species or sub-species	Common name
SCLERACTINIA		All species of SCLERACTINIA (except fossils)	

SECOND SCHEDULE—*continued*

SECTION B—*continued*

PART I—ANIMALS—*continued*

Division 11—Class Hydrozoa

Order	Family	Genus, species or sub-species	Common name
ATHECATA	Milleporidae Stylasteridae	All species of Milleporidae (except fossils) All species of Stylasteridae (except fossils)	

Division 12—Class Alcyonaria

Order	Family	Genus, species or sub-species	Common name
COENOTHECALIA STOLONIFERA	Tubiporidae	All species of COENOTHECALIA (except fossils) All species of Tubiporidae (except fossils)	

PART II—POPULATIONS OF ANIMALS

Population of animals of the species *Scleropages formosus* of Indonesia, subject to annual export quotas.

Populations of animals of any sub-species of the species *Ursus arctos* (other than the sub-species and populations specified in Schedule I) outside the Union of Soviet Socialist Republics.

PART III—PLANTS

Family	Genus, species or sub-species	Common name
AMARYLLIDACEAE	*All species of <i>Galanthus</i>	
APOCYNACEAE	*All species of <i>Sternbergia</i>	
BERBERIDACEAE	** <i>Rauvolfia serpentina</i>	
CARYOCARACEAE	** <i>Podophyllum hexandrum</i>	
HUMIRIACEAE	* <i>Caryocar costaricense</i>	
LEGUMINOSAE	* <i>Vantanea barbourii</i>	
	* <i>Cynometra hemitomophylla</i>	
	* <i>Platymiscium pleiostachyum</i>	
	* <i>Tachigali versicolor</i>	
MORACEAE	* <i>Batocarpus costaricensis</i>	
WELWITSCHIACEAE	* <i>Welwitschia mirabilis (bainesii)</i>	

THIRD SCHEDULE
AMENDMENTS TO THIRD SCHEDULE TO ACT
SECTION A
ITEMS TO BE OMITTED FROM THIRD SCHEDULE TO ACT
PART I—ANIMALS
Division 1—Class Mammalia

Order	Family	Genus, species or sub-species	Common name	Countries requiring export permit
ARTIODACTYLA EDENTATA	Bovidae Myrmecophagidae	Bubalus bubalis Sub-species of Tamandua tetradactyla not specified in Part I of Second Schedule	buffalo, water anteater, common. tamandua	Nepal Guatemala

Division 2—Class Aves

Order	Family	Genus, species or sub-species	Common name	Countries requiring export permit
ANSERIFORMES	Anatidae	Dendrocygna viduata	duck, white-faced whistling	Ghana
CICONIFORMES	Ardeidae	Bubulcus (Ardeola) ibis	egret, cattle, buff heron	Ghana
COLUMBIFORMES	Columbidae	Columba guinea	pigeon, speckled	Ghana
PASSERIFORMES	Pittidae	Pitta guajana	pitta, blue-tailed	Thailand
		Pitta gurneyi	pitta, Gurney's	Thailand

Division 3—Class Reptilia

Order	Family	Genus, species or sub-species	Common name	Countries requiring export permit
SERPENTES	Colubridae	Ptyas mucosus		India
		Naja naja		India
		Ophiophagus hannah		India

THIRD SCHEDULE—*continued*
SECTION B
ITEMS TO BE SUBSTITUTED IN THIRD SCHEDULE TO ACT
PART I—ANIMALS
Division 1—Class Mammalia

Order	Family	Genus, species or sub-species	Common name	Countries requiring export permit	
ARTIODACTYLA CARNIVORA	Bovidae Canidae	Bubalus arnee (bubalis)	buffalo, water	Nepal	
		Canis aureus	jackal, golden	India	
	Herpestidae	Vulpes bengalensis	fox, Bengal	India	
		Vulpes vulpes griffithi		India	
		Vulpes vulpes montana		India	
		Vulpes vulpes pusilla (leucopus)		India	
		Herpestes auropunctatus		India	
		Herpestes edwardsi		India	
		Herpestes fuscus		India	
		Herpestes smithii		India	
		Herpestes urva	mongoose, crab-eating	India	
		Herpestes vitticollis		India	
		Mustelidae	Martes flavigula (gwatkinsi)	martin, yellow-throated	India
			Martes foina intermedia		India
			Mustela altaica	weasel, mountain	India
			Mustela erminea	ermine, stoat	India
			Mustela kathiah	weasel, yellow-bellied	India
	Viverridae	Mustela sibirica	weasel, Siberian	India	
		Arctictis binturong	binturong	India	
		Paguma larvata	civet, masked palm	India	
		Paradoxurus hermaphroditus	civet, palm	India	
		Paradoxurus jerdoni		India	
		Viverra megaspila		India	
Viverra zibetha			India		
Viverricula indica		civet, lesser oriental	India		
EDENTATA	Myrmecophagidae	Sub-species of Tamandua tetradactyla (mexicana) not specified in Part I of Second Schedule	anteater, common tamandua	Guatemala	
RODENTIA	Sciuridae	Marmota caudata Marmota himalayana		India India	

Division 2—Class Aves

Order	Family	Genus, species or sub-species	Common name	Countries requiring export permit
ANSERIFORMES	Anatidae	Dendrocygna viduata	duck, white-faced whistling	Ghana
CICONIIFORMES	Ardeidae	Bubulcus (Ardeola) ibis	egret, cattle, buff-heron	Ghana
COLUMBIFORMES	Columbidae	Columba guinea	pigeon, speckled	Ghana
GALLIFORMES	Cracidae	Crax alberti	curassow, blue-billed	Colombia
		Crax daubentoni	curassow, yellow-knobbed	Colombia
		Crax globulosa	curassow, wattled	Colombia
		Crax (Pauxi) pauxi	curassow, helmeted	Colombia
PASSERIFORMES	Cotingidae	Cephalopterus ornatus	umbrellabird, Amazonian	Colombia
		Cephalopterus penduliger	umbrellabird, long-wattled	Colombia
PICIFORMES	Capitonidae	Semnormis ramphastinus	barbet, toucan	Colombia

MARIE SHROFF,
Clerk of the Executive Council.

EXPLANATORY NOTE

This note is not part of the order, but is intended to indicate its general effect.

This order, which comes into force 28 days after the date of its notification in the *Gazette*, amends the Schedules to the Trade in Endangered Species Act 1989. The Schedules to the Act set out the endangered species, threatened species, and exploited species that are protected by the Act. The order is authorised by section 53 of the Act and is made for the purpose of incorporating in the Schedules to the Act amendments agreed to in October 1989 by parties to the Convention on International Trade in Endangered Species of Wild Fauna and Flora signed at Washington D.C. on 3 March 1973.

Issued under the authority of the Acts and Regulations Publication Act 1989.

Date of notification in *Gazette*: 25 July 1991.

This order is administered in the Department of Conservation.