

STATUTORY INSTRUMENTS

2024 No

THE UGANDA WILDLIFE (TRADE IN WILDLIFE) REGULATIONS, 2024

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(Under section 86 of the Uganda Wildlife Act, Cap. 315)

IN EXERCISE of the powers conferred upon the Minister responsible for wildlife by section 86 of the Uganda Wildlife Act, and in consultation with the Board, these Regulations are made this^{1st}..... day of ..*December*..... 2024.

PART I – PRELIMINARY

1. Citation

These Regulations may be cited as the Uganda Wildlife (Trade in Wildlife) Regulations, 2024.

2. Application

These Regulations apply to-

- (a) trade in plant and animal species of wild origin;
- (b) trade in specimens of wildlife including specimens transiting through Uganda; and
- (c) trade in species and look alike species, specimens, parts and their derivatives, as listed in the Convention.

3. Interpretation

In these Regulations, unless the context otherwise requires-

“Act” means the Uganda Wildlife Act, Cap. 315;

“Appendix I” means the appendix of the Convention that specifies the species threatened with extinction and whose trade is permitted only in exceptional circumstances;

“Appendix II” means the appendix of the Convention that specifies the species that are not necessarily threatened with extinction, but trade in which is controlled in order to avoid utilisation which is incompatible with the survival of those species;

“Appendix III” means the appendix of the Convention that specifies the species that are protected in a country and where that country requests other CITES Parties for assistance in controlling the trade;

“artificially propagated” means a plant grown under controlled conditions from seeds, cuttings, divisions, callus tissues or other plant tissues, spores or other propagules that are either exempt from the provisions of the Convention or have been derived from cultivated parental stock;

“bred in captivity” means offspring including eggs, born or otherwise produced in a controlled environment of parents that mated or otherwise transmitted their gametes in a controlled environment, as defined in the Resolutions of the Conference of Parties;

“certificate of origin” means a document that authorises the export of specimens of species listed in Appendix III of the Convention when the specimens originated in a non-listing party;

“CITES” or “Convention” means the Convention on International Trade in Endangered Species of Wild Fauna and Flora concluded in Washington, D.C. on 3 March 1973 and amended in Bonn on 22 June 1979, and in Gaborone on 30 April 1983;

“CITES appendices” means Appendices I, II and III described in Articles III, IV and V of the Convention text, which shall be applicable as published by the secretariat in the official website of the Convention;

“competent authority” means a Ministry, department or an agency of Government, a local government or public officer in which or in whom any law vests functions of control or management of any plant or animal species;

“Conference of the Parties” means the Conference of the Parties to the Convention as referred to in Article XI of CITES;

“controlled environment” means an environment that is manipulated for the purpose of producing animals of a particular species, that has boundaries designed to prevent animals, eggs or gametes of the species from entering or leaving the controlled environment, and the general characteristics of which may include but are not limited to artificial housing, waste removal, health care, protection from predators and artificially supplied food;

"country of origin" means the country in which a specimen has been taken in the wild, born or bred in captivity, artificially propagated or introduced from the sea;

"currency point" has the value assigned to it in Schedule 1 to these Regulations;

"derivative" means in relation to an animal, plant or other organism, any part, tissue or extract of an animal, plant or other organism, whether fresh, preserved or processed, and includes any chemical compound derived from such part, tissue or extract;

"enforcement officer" means any officer or other person designated to be an authorised officer under these Regulations;

"export" means to take or cause to take wildlife out of Uganda;

"focal point" means the focal point designated under regulation 4(2) of these Regulations;

"holding ground or farm" means an area where animals are kept waiting to be exported and includes an aviary, a pen or a similar area;

"import" means to bring or cause to bring wildlife into Uganda;

"legal acquisition finding" means a verification by the Management Authority of the State of export to determine whether the specimens were acquired in accordance with the laws of Uganda or that state;

"Management Authority" means the Management Authority designated under regulation 4(1);

"Minister" means the Minister responsible for wildlife;

"non-detriment finding" means a finding by a scientific authority advising the Management Authority that a proposed export or introduction from the sea of Appendix I or II specimens will not be detrimental to the survival of the species or that the import of an Appendix I specimen is not for purposes that would be detrimental to the survival of the species;

"officer" means an officer of the Management Authority;

"re-export" means to export a specimen previously imported into Uganda;

"rescue centre" means an institution or area designated by the Management Authority to look after the welfare of specimens, particularly those that have been seized or confiscated;

"scientific authority" means a scientific authority designated as such under regulation 7;

“Secretariat” means the Secretariat of the Convention;

“species” means a population of individual organisms capable of mating with one another and producing offspring in a natural setting and share common and specialised characteristics from others;

“specimen” means-

- (a) any wildlife, whether or not native in Uganda and shall include ornamental fish;
- (b) in the case of an animal, for species included in Appendices I and II of CITES, any readily recognisable part or derivative thereof, and for species included in Appendix III of CITES, any readily recognisable part of derivative thereof specified in Appendix III of CITES in relation to the species;
- (c) in the case of a plant, for species included in Appendix I of CITES, any readily recognisable part of derivative thereof, and ~~species~~ included in Appendices II and III of CITES, any readily recognisable part of derivative thereof specified in Appendices II and III of CITES in relation to the species; and
- (d) any specimen which appears from an accompanying document, the packaging or a mark or label or from any other circumstances, to be a part or derivative of an animal or plant of a species included in the Appendices, unless the part or derivative is specifically exempted from the provisions of CITES;

“specimens in transit” means specimens that remain in customs control and are in the process of shipment to a named consignee;

“trade” means the exchange of specimens of wildlife for any purpose including export, import or re-export;

“transit” means the process of transporting specimens to a named consignee and which are imported into Uganda with the intention of re-exporting them while remaining under customs control;

“wildlife” means any wild plant or animal species or their derivative products that are indigenous, migrated to or introduced in Uganda and shall include ornamental fish.

PART II - MANAGEMENT AUTHORITY, FOCAL POINT AND SCIENTIFIC AUTHORITIES

4. Designation of Management Authority and focal point

- (1) The Department of Wildlife Conservation in the Ministry responsible for Wildlife is designated as the Management Authority.

- (2) The Commissioner responsible for wildlife conservation, in the Ministry responsible for wildlife is designated as the focal point for the Convention in Uganda.

5. Functions of Management Authority

The Management Authority shall-

- (a) in co-operation with the Competent Authorities, implement the Convention;
- (b) collaborate with scientific authorities and other relevant institutions on matters relating to trade in wildlife;
- (c) in consultation with the relevant scientific authority, and in accordance with the Convention, grant export permits, import permits, re-export certificates, transit certificate and certificates of origin for species not listed under the Convention;
- (d) issue transit certificates
- (e) monitor trade in wildlife and maintain records of international trade in specimens;
- (e) coordinate the preparation of an annual report on legal trade, an annual report on illegal trade and a report on the implementation of the legislative, regulatory and administrative measures taken to enforce the Convention and submit the reports to the Secretariat;
- (f) advise the Minister on the action to be taken for the implementation and enforcement of the Convention;
- (g) communicate and collaborate with the Secretariat, Parties to the Convention and competent authorities, on scientific, administrative and enforcement issues relating to the Convention;
- (h) approve and manage quotas for trade in wildlife, after consultation with the relevant scientific authority;
- (i) register, monitor and provide information to the secretariat of captive breeding and propagation facilities of the species listed in Appendix 1 of the Convention for commercial purposes;
- (j) consult with the Scientific Authority on the nature and level of trade in species and prepare proposals for amendment of the CITES Appendices;
- (k) represent Uganda at regional and international meetings related to wildlife conservation, trade and implementation of CITES; and

- (l) create awareness, provide training, education and information related to the Convention.

6. Powers of management authority

- (1) Where the Management Authority suspects the commission of an offence under these Regulations, the Management Authority may-

- (a) cause to detain the person suspected of committing the offence;
- (b) enter and search any premises, vehicle or vessel, the Management Authority reasonably suspects contains specimens of species in violation of these Regulations;
- (c) seize or confiscate anything the Management Authority reasonably suspects to be an object, specimen or evidence of the offence;
- (d) examine what the Management Authority reasonably suspects to be specimens of species being transported, acquired or traded in violation of these Regulations;
- (f) examine any record, document or other information relating to specimens of species referred to in paragraphs (b) and (d);
- (g) inspect a specimen in transit to ensure that it is accompanied by the appropriate documents and where the specimen is not accompanied by the appropriate documents, seize the specimen; and
- (h) take a sample of the specimen for identification purposes.

- (2) The Management Authority shall –

- (a) where the specimen is being imported, consult with the State of export, prior to returning the specimen to that State at the expense of the importer; or
- (b) where the specimen is live, place the specimen in a rescue centre or any other place as the Management Authority may consider appropriate; and
- (c) where the Management Authority deemed necessary obtain the advice of the scientific authority in order to facilitate the decision under of these regulations.

7. Designation of scientific authorities

The following are designated as scientific authorities-

- (a) for wild animals other than fish, the Uganda Wildlife Authority;
- (b) for plants of wild origin, the Ministry responsible for forestry and
- (c) for specimens of fish, the Ministry responsible for fisheries.

8. Functions of scientific authorities

(1) The scientific authority shall -

- (a) advise the Management Authority on the issuance of permits and certificates, stating whether or not the trade in the specimens of species or wildlife shall be detrimental to the survival of the species in question;
- (b) advise the Management Authority on whether or not the purpose of the import is detrimental to the survival of the species involved and detrimental to the ecosystem;
- (c) advise the Management Authority on whether or not the scientific authority is satisfied that the proposed recipient of the specimens of species are suitably equipped to house and care for them;
- (d) monitor the actual quantity of export and import permits of specimens of species against import and export permits issued;
- (e) advise the Management Authority on suitable measures to take to limit the issue of export permits where there is sufficient evidence that the population status of the species so requires;
- (f) advise the Management Authority on the suitability of facilities for the housing of specimens to be bred in captivity or to be artificially propagated;
- (g) advise the Management Authority on the disposal of confiscated or forfeited specimens;
- (h) advise the Management Authority on any matter that the scientific authority considers relevant to the protection of species;
- (i) review national proposals to amend the appendices to the Convention and make recommendations regarding the manner in which the proposals shall be addressed;
- (j) advise the Management Authority on all matters for which scientific advice is required; and
- (k) perform any task arising out of a recommendation of a resolution of the Conference of Parties to the Convention.

(2) A scientific authority shall in performance of its functions in subregulation (1)–

- (a) base on scientific review of available information on the population status, distribution, population trend, harvest and other biological and ecological factors, as appropriate, trade and other information relating to the species concerned; and

- (b) make recommendations for the trade in wildlife specimens, based on scientific review and in accordance with the established internal administrative procedures.

9. Consultation with competent authorities

The Management Authority and the relevant scientific authority shall, in the performance of functions under these Regulations, consult and liaise with the competent authorities of Uganda and of other countries.

PART III - REGISTRATION WITH MANAGEMENT AUTHORITY

10. Registration with Management Authority

(1) This Part shall apply to Part IV and Part V of these Regulations.

(2) A person intending-

- (a) to trade in specimens of species or look alike of species listed in the Convention;
- (b) to breed an animal in captivity listed in the Convention; or
- (c) to artificially propagate a plant of any species listed in the Convention,

shall, on the recommendation of the scientific authority, register with the Management Authority.

(3) A person registered with the Management Authority under subregulation (1) shall keep a record of his or her stock and of any transaction.

(4) The Management Authority may, at any time, inspect the premises and records of a person registered under this regulation.

11. Registration of breeding or propagation facilities for species listed in Appendix I for commercial purposes

(1) A person who intends to breed or propagate species listed in Appendix I for commercial purposes shall-

- (a) apply to the Management Authority in writing; and
- (b) pay the fee prescribed in Schedule 3 to these Regulations.

(2) The Management Authority may on receipt of the requirements in subregulation (1), register the breeding or propagation facility of species listed in Appendix I of the Convention for commercial purposes.

- (3) Where the Management Authority refuses to register a breeding or propagation facility, the Management Authority shall communicate the reasons for the refusal in writing to the applicant within five days of the refusal
- (4) Where the Management Authority registers a breeding or propagation facility under subregulation (2), the Management Authority shall notify the Secretariat of the registration.
- (5) The Management Authority shall maintain a register of commercial breeding and propagation facilities of species listed in the Convention.

12.Cancellation of registration

The Management Authority shall cancel the registration of a breeding or propagation facility that does not comply with the conditions of registration.

PART IV – TRADE IN WILDLIFE WITHIN UGANDA

13.Application to trade in wildlife in Uganda

A person who intends to trade in wildlife within Uganda shall apply to the relevant scientific authority.

14.Consideration of application

- (1) In considering any application for trade in wildlife within Uganda, the relevant Scientific Authority shall take into account -
 - (a) availability of the stock of specimen;
 - (b) legal acquisition of the specimen; and
 - (c) technical capacity of the applicant to adequately handle and manage the wildlife species, specimens or products.
- (2) A person permitted to trade in wildlife shall-
 - (a) maintain a record of all species and products dealt in;
 - (b) submit the record in paragraph (a) to the relevant Scientific Authority on a quarterly basis;

(c) maintain and produce on demand, to the Scientific Authority, records of all species in his or her custody under the permit; and

(d) maintain a record of any problems and concerns in respect to the permit.

15. Review of application

The Scientific Authority shall within ten working days of receipt of an application review the application and give a response to the applicant.

16. Grant or decline to grant permission

- (1) The Scientific Authority may grant or decline to grant a permission to trade in wildlife in Uganda.
- (2) The Scientific Authority shall communicate its decision to the applicant in writing within five working days from the date of making the decision under subregulation (1).
- (3) Where the Scientific Authority declines to grant permission, the Scientific Authority shall inform the applicant in writing of the reasons why the permission has not been granted.
- (4) The Scientific Authority may grant permission on such terms and conditions as the Scientific Authority may prescribe in the permit.

PART V - INTERNATIONAL TRADE IN SPECIMENS OF SPECIES LISTED IN CITES

17. International trade in specimens of species

- (1) A person shall not import, export or re-export specimens of species listed in the Appendices to the Convention unless the person has a valid permit issued by the Management Authority.
- (2) A person who intends to import, export or re-export specimens of species specified in the Appendices to the Convention shall do so in accordance with Articles III, IV and V of the Convention.
- (3) The list of specimens of species covered by CITES for purposes of subregulation (2) shall be those listed in Appendix I, II and III of the Convention as listed on the official website of the Convention at the time of the trade.

18. Export of specimens of species in Appendix I

- (1) A person who intends to export specimen of species listed in Appendix I shall –

- (a) apply to the Management Authority either in writing or fill an online form for an export permit; and
- (b) pay the fee prescribed in Schedule 3 to these Regulations.

(2) The Management Authority shall grant an export permit where-

- (a) a scientific authority has advised that the export shall not be detrimental to the survival of that species;
- (b) the Management Authority is satisfied that the specimen was not obtained in contravention of the laws of the State in which the species is to be exported, for the protection of fauna and flora;
- (c) the Management Authority is satisfied that the living specimen shall be prepared and shipped in a manner that minimises the risk of injury, damage to the health or cruel treatment of the specimen; and
- (d) the Management Authority is satisfied that an import permit has been granted for the specimen.

19.Import of specimens of species in Appendix 1

(1) A person who intends to import the specimen of species listed in Appendix I shall-

- (a) apply to the Management Authority either in writing or fill an online application form for an import permit;
- (b) attach a certificate of origin from the country of export; and
- (c) pay the fee prescribed in Schedule 3 to these Regulations.

(2) The Management Authority shall only grant an import permit where-

- (a) the relevant Scientific Authority advises that the proposed importation shall be for purposes which are not detrimental to the survival of the species involved;
- (b) the relevant scientific authority is satisfied that the proposed recipient of the living specimen is suitably equipped to house and care for the specimen of species; and
- (c) the Management Authority is satisfied that the specimen is not to be used primarily for commercial purposes.

(3) An import permit shall be valid for a period of not more than twelve months from the date on which the permit is granted.

20.Re – export of specimen of species in Appendix 1

- (1) A person who intends to re-export specimen of species listed in Appendix I shall-
 - (a) apply to the Management Authority either in writing or by filing an online application form for an export permit and a certificate of origin; and
 - (b) pay the fee prescribed in Schedule 3 to these Regulations.
- (2) The Management Authority shall grant a re-export certificate where the Management Authority is satisfied that-
 - (a) the specimen was imported in accordance with the provisions of the Convention;
 - (b) the living specimen shall be prepared and shipped in a manner that minimises the risk of injury, damage to health or cruel treatment; and
 - (c) an import permit was granted for the living specimen.

21.Export of specimen of species in Appendix II

- (1) A person who intends to export specimen of species listed in Appendix II shall-
 - (a) apply to the Management Authority in writing or by filing an online application form for an export permit and a certificate of origin; and
 - (b) pay the fee prescribed in Schedule 3 to these Regulations.
- (2) The Management Authority shall grant an export permit to an applicant where-
 - (a) the relevant scientific authority advises that the export shall be for purposes which are not detrimental to the survival of the species involved;
 - (b) the Management Authority of the country of export is satisfied that the specimen was not obtained in contravention of the laws of that State for the protection of fauna and flora; and
 - (c) the Management Authority is satisfied that the living specimen shall be handled in a manner that minimises risk of injury, damage to health or cruel treatment of the specimen.

22.Import of specimens of species in Appendix II

- (1) A person who intends to import the specimen of species listed in Appendix II shall-

- (a) apply to the Management Authority either in writing or fill an online application form for an import permit;
 - (b) attach an export permit or certificate of origin from the country of export; and
 - (c) pay the fee prescribed in Schedule 3 to these Regulations.
- (2) The Management Authority shall only grant an import permit where-
- (a) the relevant Scientific Authority advises that the proposed importation shall not be detrimental to the survival of the species involved;
 - (b) the relevant scientific authority is satisfied that the proposed recipient of the living specimen is suitably equipped to house and care for the specimen of species; and
 - (c) the Management Authority is satisfied that the specimen is not to be used primarily for commercial purposes.

23.Re – export of specimen of species in Appendix II

- (1) A person who intends to re-export specimen of species listed in Appendix II shall-
- (a) apply to the Management Authority either in writing or by filing an online application form for an export permit and a certificate of origin; and
 - (b) pay the fee prescribed in Schedule 3 to these Regulations.
- (2) The Management Authority shall grant a re-export permit where the applicant provides proof that-
- (a) the specimen was imported in accordance with the provisions of the Convention;
 - (b) the living specimen shall be prepared and shipped in a manner that minimises the risk of injury, damage to health or cruel treatment; and
 - (c) an import permit was granted for the living specimen.

24.Export of specimen of species in Appendix III

- (1) A person who intends to export specimen of a species listed in Appendix III shall-
- (a) apply to the Management Authority either in writing or fill an online application form for an export permit and a certificate of origin; and
 - (b) pay the fee prescribed in Schedule 3 to these Regulations.
- (2) The Management Authority shall only grant an export permit when the Management Authority is satisfied that-

(a) the specimen was not obtained in contravention of the laws for the protection of fauna and flora; and

(b) the living specimen shall be prepared and shipped in a manner that minimises the risk of injury, damage to health and cruel treatment.

25.Import of specimen of species in Appendix III

(1) A person who intends to import specimen of a species listed in Appendix III shall require that the exporter presents a certificate of origin prescribed in Schedule 2 to these Regulations.

(2) Where the importation in subregulation (1) is from a State which has included the species in Appendix III, the exporter shall present an export permit.

26.Re – export of specimen of species in Appendix III

(1) A person who intends to re-export specimen of a species listed in Appendix III shall-

(a) apply to the Management Authority either in writing or fill an online application form for an export permit; and

(b) pay the fee prescribed in Schedule 3 to these Regulations.

(2) The Management Authority shall issue the re-export certificate to the applicant to confirm that the specimen is being re-exported from Uganda.

(3) The Management Authority shall grant a re-export permit where the Management Authority is satisfied that-

(a) the specimen was imported into that State in accordance with the provisions of the present Convention; and

(b) the living specimen shall be prepared and shipped in a manner that minimises the risk of injury, damage to health or cruel treatment.

27.Validity of permits and certificates

(1) An export permit and re-export certificate issued under this part shall be valid for a period not exceeding six months.

(2) An import permit issued under this part shall be valid for a period not exceeding twelve months.

28.Transit of specimens of wildlife

- (1) A person transiting specimen of wildlife through Uganda shall fill in and submit to the Management Authority, the transit declaration form prescribed in Schedule 4 to these Regulations.
- (2) The transit declaration form shall be accompanied by all documentation necessary for transit including –
 - (a) import permit from country of destination;
 - (b) export permit, re-export certificate or certificate of origin from country of export; and
 - (c) international veterinary certificate or phytosanitary certificate.
- (3) Where the Management Authority is not satisfied with the legality of the source of the specimens in transit or where the country of origin or destination alerts the Management Authority that the species is either the subject of an investigation or is being trafficked, the Management Authority shall not to issue a transit certificate and shall seize the specimen.
- (4) Notwithstanding the provisions of this regulation, specimens in transit shall at all times remain in the control of customs until the time of exit from Uganda.

29.Quotas for trade

A scientific authority shall for purposes of trade, submit to the Management Authority proposed quotas for approval.

30.Requirement of certificate of health

A person importing or exporting specimens of –

- (a) animal origin shall present an international veterinary certificate issued by the relevant authority in the country of export; or
- (b) of plant origin shall present a phytosanitary certificate issued by the International Plant Protection Organisation of the country of export.

31.Inspection of consignment

The Management Authority shall prior to import or export of the specimen inspect the specimen on payment of the inspection fee prescribed in Schedule 3 to these Regulations.

32.Records of trade in specimens of species

- (1) The Management Authority shall, in consultation with the scientific authority, maintain

records of trade in specimens of species included in Appendices I, II and III of the Convention.

- (2) The records of trade maintained by the Management Authority under subregulation (1) shall include-
- (a) the names and addresses of persons granted permits and certificates under Part III of these Regulations;
 - (b) the number and type of permits and certificates granted;
 - (c) the Countries with which the trade occurred;
 - (d) the numbers or quantities and types of specimens and names of species as indicated in Appendices I, II and III of CITES; and
 - (e) where applicable, the size and sex of the specimens.

PART VI - EXEMPTIONS RELATING TO TRADE IN SPECIES

33.Issuance of pre-Convention certificate

The Management Authority may, upon being satisfied that a specimen was acquired before the provisions of the Convention applied to that specimen, issue a pre-Convention certificate.

34.Specimens that are personal or household effects

The provisions of these Regulations shall not apply to specimens that are personal effects or household effects as the Management Authority may determine except -

- (a) where the specimen of a species in Appendix I is acquired outside Uganda and is being imported into Uganda; or
- (b) in the case of a specimen of species included in Appendix II-
 - (i) to a specimen that was acquired outside Uganda and in a State where removal from the wild occurred;
 - (ii) to a specimen being imported into the owner's State of usual residence; and
 - (iii) to a specimen for which removal of the specimen from the wild requires the prior grant of export permits before any export of that specimen.

35.Certificate for specimen of species in captivity

- (1) The Management Authority shall consider specimens of species of an animal species included in Appendix I bred in captivity for commercial purposes or of a plant species included in Appendix I artificially propagated for commercial purposes as specimen of species included Appendix II.
- (2) The Management Authority shall, after consultation with the relevant scientific authority and upon being satisfied that specimen of an animal species was bred in captivity or any specimen of a plant species was artificially propagated is a part of the animal or plant or was derived there from, issue a certificate to that effect.
- (3) The certificate issued under subregulation (1) shall be accepted in lieu of any of the permits or certificates required under the provisions of Part III of these Regulations.

36.Specimens bred in captivity and plants artificially propagated

Where the Management Authority is satisfied that any specimen of an animal species was bred in captivity or any specimen of a plant species was artificially propagated, or is a part of such an animal or plant or was derived therefrom, the Management Authority shall accept a certificate to that effect in lieu of any of the permits or certificates required under Part V of these Regulations.

37.Specimens traded for non-commercial purposes

Part V of these Regulation shall not apply to the non-commercial loan, donation or exchange between scientists or scientific institutions registered by the Management Authority, of herbarium specimens, other preserved, dried or embedded museum specimens, and live plant material which carry a label issued or approved by the Management Authority.

38.Specimens of travelling zoo, circus, menagerie, plant exhibition or other travelling exhibition

The Management Authority may waive the requirements of Part V of these Regulations to allow the movement without permits or certificates of specimens which form part of a travelling zoo, circus, menagerie, plant exhibition or other travelling exhibition provided that-

- (a) the exporter or importer registers full details of such specimens with the Management Authority;
- (b) the specimens are in either of the categories specified in regulation 34 and 35 of these Regulations; and
- (c) the Management Authority is satisfied that any living specimen shall be transported and cared for in a manner that minimises the risk of injury, damage to health or cruel treatment.

PART VII - OFFENCES AND PENALTIES

39.Making false or misleading statement

- (1) A person shall not make a false or misleading statement in, or in connection with, an application for a permit or certificate.
- (2) A person who contravenes subregulation (1) commits an offence and is liable, on conviction, to a fine not exceeding one thousand currency points or to imprisonment for a term not exceeding five years or both and in any case the fine shall not be less than the value of the wildlife used in the commission of the offence.

40. Prohibition of possession, control, offer or export for sale or display to public of specimen without valid permit or certificate

- (1) A person shall not possess, control, offer or export for sale or display to the public, any specimens of a species listed in the appendices to the Convention without a valid permit issued under these Regulations.
- (2) A person who possesses, controls, offers or exposes for sale or display to the public, any specimens of a species listed in the appendices to the Convention without a valid permit or certificate issued under these Regulations, commits an offence and is liable, on conviction, to a fine not exceeding ten thousand currency points or to life imprisonment, or both and in any case the fine shall not be less than the value of the wildlife used in the commission of the offence.

41. Obstruction or hindering of officer of Management Authority

- (1) A person shall not obstruct or hinder an officer of the Management Authority in the performance of his or her duties under these Regulations.
- (2) A person who contravenes subregulation (1) commits an offence and is liable, on conviction, to a fine not exceeding five hundred currency points or to imprisonment for a term of not less than two years or both.

42. Altering, defacing or erasing mark

- (1) A person shall not alter, deface or erase a mark used by the Management Authority to individually and permanently identify wildlife.
- (2) A person who contravenes subregulation (1) commits an offence and is liable, on conviction, to a fine not exceeding one thousand currency points or to imprisonment for a term of not less than five years or both and in any case the fine shall not be less than the value of the specimen involved in the commission of the offence.

43. Second or subsequent offence

A person who commits a second or subsequent offence under these Regulations is liable, on conviction, to a fine of not less five thousand currency points or imprisonment for a term of not less than fifteen years or both.

44. Offence by body corporate

Where an offence is committed by a body corporate, and the offence is committed with the consent or connivance of, or attributed to neglect on the part of a director, manager, secretary or other similar officer of the body corporate, or any person purporting to act in any such capacity, that person, as well as the body corporate, shall be taken to have committed the offence and shall be liable to pay a fine not exceeding ten thousand currency points.

45. Further powers of court

A court convicting a person of an offence under these Regulations may, in addition to any penalty imposed by the court, disqualify that person, temporarily or permanently, from obtaining a permit or certificate under these Regulations.

46. Seizure and forfeiture

- (1) Where a person is convicted of an offence under these Regulations, the cage, container, vessel, vehicle, or other article or equipment in respect of, or by means of which the offence was committed, shall be forfeited to the State.
- (2) Where a person prosecuted for an offence under these Regulations is acquitted, the court may order the specimens concerned to be seized and forfeited to the State.
- (3) Specimens seized under subregulation (2) shall be handed over to the relevant Scientific Authority for safe custody.
- (4) The Scientific Authority shall, in consultation with the Management Authority dispose the specimen.
- (5) Where a person is convicted of an offence under these Regulations, he or she shall be liable to pay for the expenses incurred as a result of seizure, including the cost of custody, transportation or disposal of the specimen or of maintaining the animal or plant during the time of seizure.

PART VIII – GENERAL

47. Copies of permits or certificates

The Management Authority shall clearly mark copies of permits or certificate issued by the Management Authority as copies only and that the copies shall not be used as originals except to the extent endorsed thereon.

48. Management of wildlife trade operation and facilities

- (1) A person who intends to trade in wildlife shall obtain the wildlife through the following sources-
 - (a) sport hunting;

- (b) licensed wildlife captive facilities;
- (c) culling, cropping and problem animals control operations;
- (d) direct collection from the wild subject to approval by the relevant Scientific Authority; or
- (e) any other source as may be approved by the relevant Scientific Authority from time to time.

(2) Any person who trades in wildlife or who operates a wildlife trading facility shall-

- (a) issue a receipt provided by the relevant Scientific Authority to a buyer of wildlife;
- (b) in case of products for human consumption, ensure that the products are inspected and certified by the relevant authorities; and
- (c) maintain a register indicating-
 - (i) the source of the wildlife;
 - (ii) the quantity of wildlife traded in including by-products; and
 - (iii) a list of the customers and the nature and quantity of wildlife sold.

(3) The register referred to under subregulation (3)(c) and certification referred to under subregulation (3)(c) shall be made available to the Scientific Authority, Management Authority or law enforcement authorities whenever required for inspection.

(4) A person shall not purchase wildlife unless he or she has been provided with documentary evidence of the lawful acquisition or possession by the seller.

(5) A person who intends to trade wildlife in an open market or on physical or online sales platforms shall in writing apply to the Management Authority or Scientific Authority.

(6) A person authorised to trade wildlife in an open market or on physical or online sales platforms shall-

- (a) at all times have in his or her possession documents demonstrating the lawful acquisition of the specimen; and

- (b) ensure that advertisements placed on the physical platform or online sales platform for the sale of any wildlife include a notice warning potential purchasers of the risks of purchasing and owning illegally traded wildlife.

(7) The Scientific Authority and the Management Authority shall monitor compliance of facilities or operations licensed to trade in wildlife.

49. Separate permit or certificate for each consignment

The Management Authority shall issue a separate permit or certificate as the case may be for each trade consignment of specimens.

50. Affixation of mark on specimen of species

The Management Authority may affix a mark upon any specimen to assist in identifying the specimen.

51. Seizure of specimens of species

- (1) Any specimen which is seized in the process of enforcing these Regulations shall be handed over to the relevant Scientific Authority.
- (2) The Management Authority shall in consultation with the state of export, return any seized species to a state at its expense or place the species in a rescue center or other place as the Management Authority may consider appropriate.
- (3) The Management Authority shall obtain the advice of the relevant scientific authority in order to facilitate the decision under subregulation (1) of this regulation.

52. Ports of entry and exit for wildlife

- (1) The customs ports prescribed in Schedule 5 to these Regulations are designated as the ports for import and export of wildlife.
- (2) A person importing or exporting wildlife into the country shall present the wildlife at designated ports for import and export of wildlife.

53. Rescue centres

- (1) The Uganda Wildlife Conservation Education Centre is designated as Uganda's rescue and quarantine centre for wildlife species seized or confiscated.
- (2) The Management Authority shall, in consultation with the relevant scientific authority, for the purposes of looking after the welfare of living wildlife, that have been seized or confiscated, designate by notice in the Gazette, other rescue centres.

- (3) A rescue centre designated under subregulation (2) shall serve as an inspection facility for purposes of monitoring national and international trade in wildlife.

54. Trade with countries not party to CITES

Where export or re-export of a specimen of species is to or import is from a State not party to the Convention, comparable documentation issued by the competent authority in that State, which substantially conforms to the requirements of the Convention, for permits and certificates, may be accepted in lieu thereof by the Management Authority, for purposes of these Regulations.

55. Appeals

- (1) A person aggrieved by a decision made under these Regulations may appeal to the Minister.
- (2) The Minister in making a decision under subregulation (1) shall-
- (a) consult the Management Authority, the relevant competent authority and the relevant scientific authority; and
 - (b) give his or her decision in writing to the aggrieved person, with a copy to the Management Authority within thirty working days of receipt of the appeal.

SCHEDULE 1
CURRENCY POINT

reg. 3

A currency point is equivalent to twenty thousand shillings.

SCHEDULE 2

reg. 24

IMPORT PERMIT/ EXPORT PERMIT/ RE-EXPORT CERTIFICATE AND CERTIFICATE OF ORIGIN



CITES CONVENTION ON INTERNATIONAL TRADE IN ENDANGERED SPECIES OF WILD FAUNA AND FLORA	1. PERMIT or CERTIFICATE NO. ☐ EXPORT ☐ RE-EXPORT ☐ IMPORT ☐ TRANSIT ☐ CERTIFICATE OF ORIGIN (FOR NONE CITES SPECIES)	Original/Duplicate/T riplícate Sn U 2. Valid until
3. Consignee (name and address) 	4. Applicant (name, address and country) Signature of the applicant	
3a Country of import/export/re-export		

5. Special conditions For live animals, this permit or certificate is only valid if the transport conditions conform to the Guidelines for Transport of Live Animals or, in the case of air transport, to the IATA Live Animals Regulations			6. Name, address, national seal/stamp and country of Management Authority Department of Wildlife Conservation, Government of the Republic of Uganda			
5a Purpose of the transaction (see reverse)		5b. Security Stamp no.				
7/8 Scientific name (<i>genus and species</i>) and common name of animal or plant		9. Purpose for transaction, and Description of specimens, including identifying marks.		10. Appendix no. and source (see reverse)	11. Quantity (including unit)	11a. Total exported/Quota
A	7/8	9.		10.	11.	11a.
	12. Country of origin*	Permit no. Date:		12a. Country of last re-export Certificate no. Date:		12b. No. of the operation** or date of acquisition***

	7/8	9.	10.	11.	11a.
B	12. Country of origin* Permit no. Date:		12a. Country of last re-export Certificate no. Date:		12b. No. of the operation ** or date of acquisition***
	7/8	9.	10.	11.	11a.
C	12. Country of origin* Permit no. Date:		12a. Country of last re-export Certificate no. Date:		12b. No. of the operation ** or date of acquisition***
D	7/8	9.	10.	11.	11a.
	12. Country of origin* Permit no. Date:		12a. Country of last re-export Certificate no. Date:		12b. No. of the operation ** or date of acquisition***
* Country in which the specimens were taken from the wild, bred in captivity or artificially propagated (only in case of re-export) ** Only for specimens of Appendix-1 species bred in captivity or artificially propagated for commercial purposes *** For pre-Convention specimens					

13. This permit/certificate is issued by: (CITES Management Authority 14. Authorised Officer Date Security Stamp, Signature and official Seal			
Bloc k	Quan tity	15. Export Endorsement No. Port of Export Date Signature, Official Stamp and Title	16. Bill of Lading/Airway Bill
A			
B			
C			
D			

INSTRUCTIONS AND EXPLANATIONS

(These correspond to block numbers on the form)

1. Tick the square, which corresponds to the type of document issued (**export permit, re-export certificate, import permit or certificate of origin** for Non-CITES Species). The **Original** number is a unique number allocated to each document by the Management Authority.
2. For export and import permits and re-export certificates, the **Date of Expiry** of the document may not be more than six months after the date of issuance.
3. Complete name and address of the **Consignee**
The name of the destination (in case of export/re-export)/origin (in case of import) **Country** must be written in full. Cancel the activity not under use.
4. Complete name and address of the **Applicant**. The address must be stated. The absence of the signature of the applicant renders the permit or certificate invalid.
5. **Special Conditions** may refer to national legislation or special conditions placed on the shipment by the issuing Management Authority. This block can also be used to justify the omission of certain information.
 - 5a. The following **Codes** should be used: T for commercial, Z for zoos, G for Botanical Gardens, Q for circuses and travelling exhibitions, S for scientific purposes, H for hunting trophies, P for personal, M for biomedical research, E for education, N for reintroduction or introduction into the wild, and B for breeding in captivity or artificial propagation.
 - 5b. Indicate the **number** (including the country's ISO code) of the **security stamp** affixed in block 13.
6. The name, address and country of the **issuing Management Authority** should be printed on the form.
- 7-8. Indicate the scientific **Name** (genus and species, where appropriate subspecies) of the animal or plant as it appears in the Convention Appendices or the reference lists approved by the Conference of the Parties, and the common name of the animal or plant as known in the country issuing the permit.
9. **Description**, as precisely as possible, of the **specimens** entering trade (live animals, skins, flanks, wallets, shoes, etc.). If a specimen is

marked (tags, identifying marks, rings, etc.), whether or not this is required by a Resolution of the Conference of the Parties (specimens originating in a ranching operation, specimens subject to quotas approved by the Conference of the Parties, specimens of Appendix I species bred in captivity for commercial purposes, etc.), indicate the number and type of mark. The sex and age of the live animals should be recorded, if possible.

10. Enter the number of the **Appendix** of the Convention (I, II or III) in which the species is listed.

Use the following codes to indicate the **Source**:

W--Specimens taken from the wild

R--Specimens originating from a ranching operation

D--Appendix I animals bred in captivity for commercial purposes and Appendix I plants artificially propagated for commercial purposes, as well as parts and derivatives thereof, exported under the provisions of Article VII, Paragraph 5, of the Convention (specimens of species included in Appendix I that have been propagated artificially for non-commercial purposes and specimens of species included in Appendices II and III).

A--Plants that are artificially propagated in accordance with Resolution Conf. 11.11, paragraph a) as well as parts and derivatives thereof, exported under the provisions of Article VII, paragraph 5, of the Convention (specimens of species included in Appendix I that have been propagated artificially for non-commercial purposes and specimens of species included in Appendices II and III).

C--Animals bred in captivity in accordance with Resolution Conf. 10.16 (Rev.), as well as parts and derivatives thereof, exported under the provisions of Article VII, Paragraph 5, of the Convention (specimens of species included in Appendix I that have been bred in captivity for non-commercial purposes and specimens of species in Appendices II and III).

F--Animals born in captivity (F1 or subsequent generations that do not fulfil the definition of 'bred in captivity' in Resolution Conf. 10.16 (Rev.), as well as parts and derivatives thereof.

U--Source unknown (must be justified).

I--Confiscated or seized specimen.

11. Indicate the total **Number** of specimens or, if this is not possible, the **Quantity**, and specify the unit of measurement used (for example the weight in kilograms). Do not use general terms such as "one case" or "one batch".

11a. Indicate the total number of specimens exported in the current calendar year (including those covered by the present permit) and the **current annual quota** for the species concerned (for example 500/1000).

This should be done for the national quotas as well as for those determined by the Conference of the Parties.

12. The **country of origin** is the country in which the specimens were taken from the wild, bred in captivity or artificially propagated. Indicate the number of export permit of the country and date of issuance. If all or part of the information is not known, this should be justified in block 5. This block must only be completed in case of re-exports.

12a. The **country of last re-export** is the country from which the specimens were re-exported before entering the country in which the present document is issued. Enter the number of the re-export certificate of the country of last re-export and its date of issuance. If all or part of the information is not known, this should be justified in block 5. This block must only be completed in case of re-export of specimens previously re-exported.

13. To be completed by **the official who issues the permit**. The name of the official (and his title) must be written in full. The security stamp must be affixed in this block and must be cancelled by the signature of the issuing official and a stamp or seal. The seal, signature and security-stamp number should be clearly legible.

14. Endorsement on inspection by the **officer** associated with the Competent Authority

15. Enter the number of **the bill of lading or airway bill** if the method of transport used requires the use of such a document.

16. To be completed by **the customs official** who inspects the shipment at the time of export or re-export or import. Enter the quantities of specimens actually exported or re-exported or import. Strike out the unused blocks.

The document must be written in English. Exported and re-exported specimens should not appear on the same document unless it is clearly indicated which specimens are being exported and which re-exported.

**AFTER USE, THIS DOCUMENT MUST BE RETURNED TO THE
MANAGEMENT AUTHORITY OF THE IMPORTING COUNTRY**

SCHEDULE 3

Reg. 10, 17, 18, 19, 20, 21, 22, 23,25,29

Fees

Category	Fees (USD)
Application to import, export or re-export certificate	20
Application to register breeding or propagation facility	50
Wildlife acquisition fee	50
Inspection fee	10
Application to possess wildlife	10

SCHEDULE 4

Reg. 26

Transit declaration form

Importation and exportation of animals, plants and any of their derivatives for transit purposes

1. I, of.....(address) declare that animals(s) or plant(s) or derivatives listed here under are to be imported into Uganda purely for transit purposes, through customs entry point.

	List of specimens (Scientific/ and Common name)	Description	Country of origin	Country of destination	Quantity (Number or Weight)	CITES Appendix No.	Permit/Certificate No.
a							
b							
c							
d							

2. The imported wild animals or plants will be kept at.....as the place of location until export and the consignee is..... (name, full physical and telephone address)
3. I undertake to re-export the animals(s) or plant(s) or derivatives through the customs port atwithin days.
4. I understand that failure to re-export within the scheduled period and through the scheduled Customs port of exit will render me liable to prosecution under the Uganda Wildlife Act Cap 315 and these Regulations.
- I enclose authentic CITES export permit/re-export certificate from the Management Authority of as the country of origin.

..... Signature of importer, on application (Before entry)	 Signature of Competent Authority, with Official Stamp and Seal (Before entry)
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5. Issued with CITES Re-Export Certificate No..... Dated
.....

..... Signature of the Management Authority, with Official Stamp and Seal

1. Original to Uganda CITES Management Authority
2. Duplicate to Uganda
3. Triplicate to the Uganda National Bureau under the Lusaka Agreement (Wildlife).
4. Quadruplicate to be retained by the Competent Authority.

SCHEDULE 5

reg. 47

PORTS OF ENTRY AND EXIT FOR WILDLIFE

(The customs border posts in columns one are the authorised ports for the purpose of importation and exportation respectively, for the corresponding countries)

Customs Ports for Importation and Exportation	Corresponding Countries
Port Bell (Kampala)	United Republic of Tanzania, Republic of Kenya
Jinja (Pier)	United Republic of Tanzania, Republic of Kenya
Entebbe International Airport	All countries
Mutukula	Republic of Tanzania
Kikagati	Republic of Tanzania
Mirama Hill	Republic of Rwanda
Katuna	Republic of Rwanda
Kyanika	Republic of Rwanda
Bunagana	Democratic Republic of Congo
Ishasha River	Democratic Republic of Congo
Mpondwe	Democratic Republic of Congo
Vurra	Democratic Republic of Congo
Goli	Democratic Republic of Congo
Kaya (Near Koboko)	Republic of Sudan
Bibia (Near Atiak)	Republic of Sudan
Busia	Republic of Kenya
Malaba	Republic of Kenya
Suam River	Republic of Kenya
Lwahaha	Republic of Kenya


Tom R. Butime, (MP),

MINISTER OF TOURISM, WILDLIFE AND ANTIQUITIES