



Llywodraeth Cymru  
Welsh Government

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## **WRITTEN STATEMENT BY THE WELSH GOVERNMENT**

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<b>TITLE</b>	<b>Ivory Act (Meaning of "Ivory" and Miscellaneous Amendments) Regulations 2024</b>
<b>DATE</b>	<b>22 May 2024</b>
<b>BY</b>	<b>Huw Irranca-Davies MS, Cabinet Secretary for Climate Change &amp; Rural Affairs</b>

Members of the Senedd will wish to be aware that I have given consent to the Secretary of State for Environment, Food and Rural Affairs to exercise a subordinate legislation-making power in a devolved area in relation to Wales.

The above titled UK Statutory Instrument (UKSI) was laid before the UK Parliament by the Secretary of State on 21 May 2024 in exercise of powers conferred by the Ivory Act 2018 ("the Act").

The UKSI amends the Act by extending the prohibition in elephant ivory to also include ivory from the following species:

- common hippopotamus (*hippopotamus amphibius*);
- killer whale (*orcinus orca*);
- narwhal (*monodon monoceros*); and
- sperm whale (*physeter macrocephalus*).

It includes a 28-day grace period for buyers, sellers and hirers who have entered into a contract that has yet to complete at the time the regulations come into force.

The UKSI also amends Schedule 1 (Prescribed Institutions) to the Ivory Prohibitions (Exemptions) (Process and Procedure) Regulations 2022 to correct the names of some of the institutions prescribed under the Act. Prescribed Institutions provide the Secretary of State with advice on applications for exemption certificates.

The UKSI also amends the Ivory Prohibition (Civil Sanctions) Regulations 2022 to specify that the method and date of service for notices relating to enforcement undertakings shall be by post in the ordinary course of delivery or electronically on the day on which the electronic communication is sent.

**Impact the instrument may have on the Senedd's legislative competence and/or the Welsh Ministers' executive competence:**

The UKSI does not diminish or undermine the powers of Welsh Ministers in any way, and they do not create, amend or remove any functions conferred on the Welsh Ministers.

I would like to reassure the Senedd it is normally the policy of the Welsh Government to legislate for Wales in matters of devolved competence. However, in certain circumstances there are benefits in working collaboratively with the UK Government where there is a clear rationale for doing so.

The UK has had a uniform approach to this policy for many years and continued alignment to ensure consistency is crucial. This reflects the approach taken to align across GB on border and trade issues and provides consistency for traders and enforcement officials by avoiding any inadvertent divergence in application.

Welsh Ministers continue to be the 'appropriate national authority' for regulations which apply only to Wales.

The Regulations were laid before the UK Parliament on 21 May and come into force on 1 September.