

**CHAPTER E9**

ENDANGERED SPECIES (CONTROL OF INTERNATIONAL TRADE AND TRAFFIC) ACT

ARRANGEMENT OF SECTIONS

SECTION

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**SCHEDULES**

FIRST SCHEDULE

Animals in relation to which international trade is absolutely prohibited

SECOND SCHEDULE

Animal in relation to which international trade may only be conducted under licence

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**CHAPTER E9**

ENDANGERED SPECIES (CONTROL OF INTERNATIONAL TRADE  
AND TRAFFIC) ACT

**An Act to provide for the conservation and management of Nigeria's wild life and the protection  
Of some of her endangered species in danger of extinction as a result of over-exploitation, as  
Required under certain international treaties to which Nigeria is a signatory.**

[1985 No. 11.]

[20<sup>th</sup> April, 1985]

[Commencement]

## **CAP. E9**

### **Endangered Species (Control of International Trade and Traffic) Act**

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#### **1. Prohibition of hunting of or trading in wild animals**

(1) As from the commencement of this Act, the hunting or capture of or trade in, the animal species specified in the First Schedule to this Act (being animal species threatened with extinction) is absolutely prohibited.

[First Schedule.]

(2) As from the commencement of this Act, no person shall hunt, capture, trade in or otherwise deal with an animal species specified in the Second Schedule to this Act (being animals which, though not necessarily now threatened with extinction, may become so session of a licence issued under this Act.

[Second Schedule.]

#### **2. Regulation of export and import of species specified in the Second Schedule**

(1) No person shall trade in any animal specified in the Second Schedule to this Act except where he complies with the following provisions, that is to say—

- (a) he has obtained an export permit granted by the Minister;
- (b) the Minister is satisfied that such export will not be detrimental to the survival of the specimen;
- © the Minister is satisfied that the specie is to be exported alive, it will be so prepare and transported as to minimise the risk of injury, damage to health, cruel treatment or death of the animal; and
- (d) the Minister is satisfied that an import permit has been or will be granted for the specimen by the country of importation.

(2) No person shall import any specie specified in the said Second Schedule except where he has first obtained an import permit or a re-export certificate for that purpose.

(3) No import permit shall be issued under this section unless the Minister is satisfied that ---

- (a) the import shall be for a purpose which is not detrimental to the survival of the specimen;
- (b) the specimen is not to e used for a primarily commercial purpose; and
- © the proposed recipient of a living specimen is suitably equipped to house and care for it.

(4) No re-export certificate shall be granted in respect of any specimen specified in the Second Schedule to this Act unless the minister is satisfied that--

- (a) the specimen was imported in accordance with the provisions of this Act;
- (b) any living specimen shall be so prepared and shipped as to minimise the risk of injury, damage to health, cruel treatment or death thereto; and
- (c) an import permit has been obtained for any such living specimen.

(5) No certificate for the removal from any waters of any specimen in the Second Schedule to this Act shall be issued unless the Minister is satisfied that---

[Second Schedule.]

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- (a) the removal shall not be detrimental to the survival of the specimen concerned;
- (b) the recipient of a living specimen is fully and suitably equipped to receive and care for it; and
- (c) the specimen shall not be used for a primarily commercial purpose.

#### 3. Permits and certificates

(1) A permit or certificate issued under the provisions of this Act shall be in such form as the Minister may prescribe and shall remain in force for a period of six months or such other period from the date of issue as the Minister may prescribe.

(2) The Minister shall cancel and retain the export and re-export certificate and any corresponding import permit presented in respect of the importation of any specimen affected by this Act.

(3) A separate permit shall be required for each consignment of any specimen imported, exported or re-exported under this Act.

#### 4. Alteration of Schedules and exemptions

(1) The Minister may by an order published in the Federal Gazette---

- (a) alter the list of animals specified in the First or Second Schedule to this Act by way of addition, substitution or deletion or otherwise howsoever;
- (b) make different provision in relation to different species or as respects importation, exportation or re-exportation of animals and plants from Nigeria and impose such conditions as he may deem necessary.

(2) Where the Minister is satisfied that a specimen was bred entirely under captivity, the provisions of sections 1 to 3 of this Act shall not apply to such specimen and the Minister shall issue a certificate to that effect.

(3) In this section “**captivity**” includes confinement in any of the following places, that is, a laboratory, zoo or wild life rescue centre established under section 5 (3) of this Act.

#### 5. Penalties, forfeitures, etc.

(1) Any person who, in contravention of the provisions of this Act, trades in, or is in possession of or otherwise deals with a specimen specified in the First and Second Schedules to this Act, shall be guilty of an offence and liable on conviction--

- (a) in respect of any specimen under the First Schedule to this Act, a fine of ₦1,000 for a first offence and for a second and subsequent offence to imprisonment for one year without the option of a fine; and
- (b) in respect of any specimen under the Second Schedule to this Act, to a fine of ₦500 for a first offence and for a second or subsequent offence, to imprisonment for six months without the option of a fine.

(2) Where a person is convicted of an offence under subsection (1) of this section, the court may--

- (a) order the forfeiture of any specimen which is the subject of such prosecution;
- (b) make such orders (including the upkeep of live specimens at the expense of the person so convicted) as the court may deem fit.

(3) Without prejudice to subsection (1) of this section, where a living specimen is forfeited pursuant to this section, the specimen shall be entrusted to the Minister who may, after consultation with the country of export, return the specimen either to that country at the expense of that country or to a wild life rescue centre or to such other place as the Minister may deem appropriate.

(4) Under this section “**wild life rescue centre**” means any institution or place appointed for the care specified under the First and Second Schedules to this Act was for any of the following reasons----

- (a) the paramount public interest;
- (b) the defence of human life;
- (c) the protection of public health;
- (d) the defence of property; or
- (e) the defence of the lives of other animals.

(6) Notwithstanding the provisions of subsection (4) of this section, in an attempt to capture, fish, take or hunt wild animals specified in this Act, the following methods are prohibited, that is---

- (a) any method liable to cause mass destruction of wild animals;
- (b) the use of drugs, poisons, poisoned weapons or poisoned baits;
- (c) the use of mechanically propelled vehicles for hunting;
- (d) the use of fire;
- (e) the use of firearms capable of firing more than one round at each pull of the trigger;
- (f) hunting or capture at night; or
- (g) the use of missiles containing detonators.

## 6. Records

The Minister shall cause to be maintained records of trade in any specimen in the First and Second Schedules to this Act and such records shall include---

[First Schedule and Second Schedule.]

- (a) the names and addresses of exporters and importers thereof;
- (b) the number and types of permits and certificates granted;
- (c) the countries with which such trade occurred and the number, quantities and types of specimens concerned; and
- (d) where applicable, the size and sex of the specimens in question.

## 7. Power to make regulations

The Minister may make regulations for all or any of the following purposes---

- (a) prohibiting or regulating the importation or exportation of any live specimen specified in the Second Schedule to this Act or any trophy thereof;
- (b) regulating the application for the issue, form, conditions or period of validity of permits and certificates required by this Act;
- (c) providing for the issue of duplicate certificates in the case of loss, destruction or defacing of an original permit or certificate;
- (d) prohibiting or regulating the species and number of live animals and trophies which may be exported in any specified period of time;
- (e) providing for payment and collection of any fees prescribed under this Act;
- (f) providing for the termination, revocation, and forfeitures of licences and permits issued under this Act;
- (g) authorising the payments of grants, bonuses or rewards out of public revenue for the encouragement of wildlife conservation;
- (h) providing for the declaration and control of internationally recognised pest; and
- (i) generally for giving effect to the provisions of this Act.

## 8. Interpretation

In this Act, unless the context otherwise requires---

“**animal**” means any member of the animal kingdom other than human being or the young or egg thereof or any animal which is commonly considered to be a domestic animal or the young or egg thereof;

“**court**” means the Federal High Court;

“**fauna**” means animal and “**flora**” means plant and **faunal**” and “**floral**” shall be construed accordingly;

“**Minister**” means Minister of the Government of the Federation charged with responsibility of matters relating to wildlife;

“**specimen**” means an individual example of a specie of a wild animal or plant;

“**trophy**” means any animal specimen or a part thereof whether included in a manufactured or processed object or otherwise dealt with unless it has lost its original identity and includes—

- (a) the egg or part of the egg;
- (b) skin, feather, horn, tooth, shell or any other part of an animal;

“**wild animal**” means any animal not habitually found in a domesticated state;

“**wild life**” includes—

- (a) wild animals and plants, whether or not they are indigenous to Nigeria;
- (b) wild animals and plants that are indigenous to the continental shelf of Nigeria or the super-adjacent waters;
- © migratory wild animals and birds that temporary make their habitations in, pass through or Overfly, Nigeria;
- (c) any animal or plant other than domesticated animals or usually cultivated plants.

## 9. Short title

The Act may be cited as the Endangered Species (Control of International Trade and Traffic) Act.

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### SCHEDULES

#### FIRST SCHEDULE

##### Form (CCB.1)

Animals in relation to which international trade is absolutely prohibited

Endangered Species (Control of International Trade and Traffic) Act

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Insectivore

Otter Shrew	Potamogale velox
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Phoeidota

Giant pangolin	Manis gigantean
Tree pangolin	Manis tricupis
Long-tailed tree pangolin	Manis longicaudata

Primates

Angwantibo or golden potto	Arctocebus calabarensis
All colobus monkeys	Colobus spp., Procolobus
All mengabeys	Cerocebus spp
Chimpanzee	Pan troglodytes
Drill and mandrill	Mandrillus spp
Gorilla	Gorilla
Pigmy chimpanzee	Pan paniscus

Rodents

African palm squirrel	Epixerus epi
Brush-tailed porcupine	Atherurus africanus

Carnivora

Lion	Panthera leo
Leopard	Panthera pardus
Cheetah	Acinonyx jubatus
Serval	Felis caracal
Golden cat	Felis aurata
Wild cat	Felis libyca
Spotted hyaena	Crocuta crocuta
Striped hyaena	Hyaena hyaena
Aardwolf	Proteles cristatus

Wild dog	<i>Lycaon pictus</i>
Cape clawless otter	<i>Aonyx capensis</i>
Speckle-throated otter	<i>Lutra maculicollis</i>
Cameroon otter	
Seals	Suborder Pinnipedia

Tubulidentata

Aaedvark	<i>Orycteropus afer</i>
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Proboscidea

Immature elephant	<i>Loxodonta africana</i>
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Sirenia

Manatee	<i>Trichechus senegalensis</i>
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Perissodactyla

Black rhinoceros	<i>Diceros bicornis</i>
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Artiodactyla

Pygmy hippopotamus	<i>Choeropsis liberiensis</i>
Giant eland	<i>Taurotragus derbianus</i>
Dorcas gazelle	<i>Gazella dorcas</i>
Dama gazelle	<i>Gazella dama</i>
Addax	<i>Addax nasomaculatus</i>
Scimitar oryx	<i>Oryx algazel</i>
Water chevrotain	<i>Hyemoschus aquaticus</i>
Giraffe	<i>Giraffe camelopardalis</i>
Giant forest hog	<i>Hylochoerus meinertzhageni</i>
Yellow-backed duiker	<i>Cephalophus sylvicultor</i>
Sitatunga	<i>Tragelaphus spekei</i>
Klipspringer	<i>Oreotragus oreotragus</i>

Cetacea

Whales	(Family Balaenopteridae)
	(Family Physeteridae)

	(Family Ziphiidae)
	(Family Delphinidae)
	(Genus Orcinus)
Dolphins	(Family Delphinidae)
Porpoises	(Family Platanistidae)

Reptiles

Nile crocodile	Crocodylus niloticus
Short-nosed crocodile	Osteolaemus tetraspis
Nile monitor lizard	Varanus niloticus

Reptiles

Short –tailed monitor lizard	Varamus examthematicus
Royal python	Python regius
Rock python	Python sebae

Aves

All parrots	Family Psittacidae
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Eagles

Falcons, kites, eagles, buzzards, sparrow-hawks, and harriers	Family Falconidae

SECOND SCHEDULE

Animals in relation to which international trade may only be conducted under licence

Primates

Bosman's potto	Perodicticus potto
Galagos	Calago spp.
All monkeys (except those specified in First Schedule above)	

Carnivora

Side-striped jackal	Canis adustus
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Jackal	Canis aureus
Civet	Civeticus civetta
Fennec	Fennecus zerda

All other foxes

Genets	Genetta spp.
Two-spotted palm civet or stripped polecate	Nandinia binotato Ictonyx striatus
All mongooses	Family Herpestinae

Exotic Animals

All exotic wild animals	
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Proboscidea

Mature elephant	Loxodonta africana
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Actiodactyla

Hippopotamus	Hippopotamus amphibus
Common bush-cow	Synerus manus
Warthog	Phacochoerus aethiopicus
Red-fronted gazelle	Gazella rufifrons
Western hartebeest	Alcelaphus buselaphus
Topi (Senegal hartebeest)	Damaliscus korrigum
Kob	Kobus (Adetona) Kob
Oribi	Ourebia ourebi
Reed-buck	Redunca redunca
Mountain reed-buck	Redunca fulvorafula
Roam	Hippotracus equines
Water-buck	Kobus defassa

Aves

Ostrich	Struthio camelus
Secretary bird	Sagittarius serpentarius
Hammerkop	Scopus umbretta

African spoonbill	Platalea alba
Abyssinian ground hornbill	Bucorvus abyssinicus
Heros and egrets (including bitterns)	Family Ardeidae
Pelicans	Family Pelecanidae
All storks	Family Ciconiidae
Vultures	Family Aegypiidae
Cranes	Family Balearicidae
Bustards	Family Otidae

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**CHAPTER E9**

ENDANGERED SPECIES (CONTROL OF INTERNATIONAL TRADE  
AND TRAFFIC) ACT

**SUBSIDIARY LEGISLATION**

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No Subsidiary Legislation

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