Kerry McCarthy MP  
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IVORY BILL – MUSICAL INSTRUMENTS MOVING ABROAD FOR REPAIR

Thank you for your careful consideration and scrutiny of Ivory Bill as a member of the Public Bill Committee. You raised a specific point in relation to owners of musical instruments which contain ivory, recognising that they may need to send their instruments abroad for repair. I agree that this is an important and likely event that should be considered. I would therefore like to provide some clarity.

If an owner of an ivory containing musical instrument wishes to send this instrument abroad for repair, this activity would not fall within the definition of ‘commercial dealing’ under the Ivory Bill. The Ivory Bill prohibits commercial activities concerning ivory, non-commercial activities will not be effected by the Ivory Bill and the existing restrictions will apply.

As the ivory ban does not apply to non-commercial activities, the owner would not need to register the item under the musical instruments exemption provided for under the Ivory Bill. The ivory included in the musical instrument would, however, be subject to controls under the Convention on International Trade in Endangered Species (CITES). As a result, the item may require both export permits and import permits in order for the item to be legally exported to and enter the country where the repair is happening and for the repaired item to be legally returned to the UK. The owner must check with the Animal and Plant Health Authority (APHA), the UK’s Management Authority for CITES, whether permits are required before sending instruments abroad for repair.

I am copying this letter to Sue Hayman and placing a copy of it in the Library of both Houses.

With best wishes,

David Rutley MP
Parliamentary Under Secretary of State

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24 June 2018

Ps Thank you for all your work as the Bill Committee.