




The trade in endangered species is governed by the Convention on International Trade in Endangered Species of Wild Flora and Fauna, better known as CITES. 'Worked' antiques, however, enjoy an exemption from the controls. This is known as the antiques derogation. This states that an item shall be exempt from normal sales controls if it was acquired prior to June 1947 and has been significantly altered from its natural raw state for jewellery, adornment, art, utility or musical instrument before that date. Most taxidermy qualifies under the derogation too. However, in May 2013, new guidance regarding the interpretation of the term 'worked' was issued by the European Commission. Many more items now require licences (a so-called Article 10 certificate) from the Wildlife Licensing & Registration Service before they can be sold while 'stricter measures' governing the sale of unworked elephant ivory, rhinoceros horn and tiger parts mean that some of these items have effectively been banned. Here is a brief summary of some of the changes plus some examples.

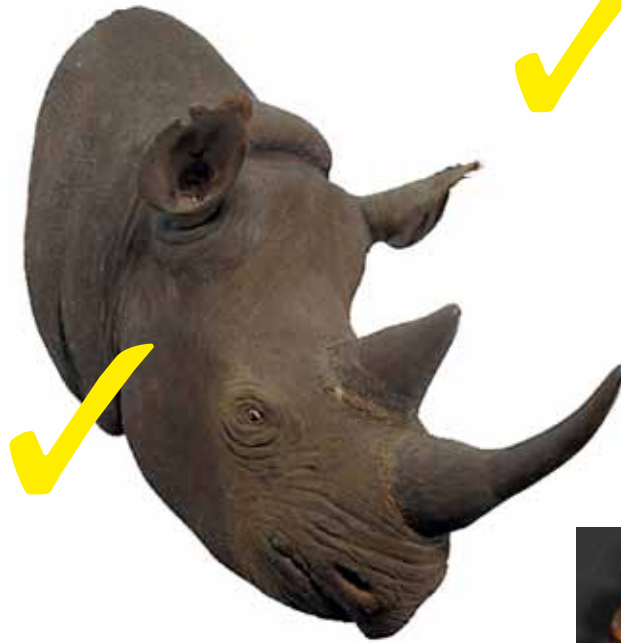
- KEY**
-  Legal to sell within the EU. CITES 'Annex A' listed species are subject to the usual rules.
 -  Illegal to sell regardless of age. Certificates will not be issued.
 -  Can be sold but licences or pre-sale approval documentation is required.

RHINO HORN



There are strict rules surrounding the sale of rhino horn but it is still legal to sell 'worked' items acquired or prepared prior to 1947 providing they have the correct 'pre-sale approval' documentation.

Providing they were 'worked' before 1947, taxidermy rhino heads are ok to sell, as are some of the other items pictured here – a libation cup, a string of beads and a turned bowl. Whip and dagger handles and knobkerries are also considered worked.



What cannot be sold regardless of age are uncarved rhino horns including those mounted in silver as inkwells, clocks etc, or those mounted as big game trophies on or off shields.

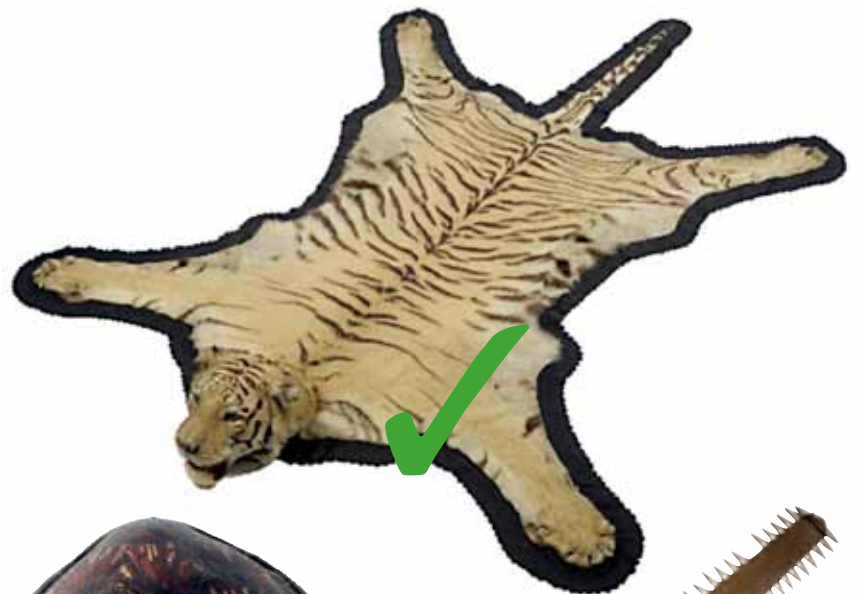


TIGER



The new rules have outlawed the sale of tiger claw jewellery – a staple of the colonial period – even when embellished with gold, silver and precious stones.

The May 2013 guidance has also tightened up the sale of tiger skins. Even when worked by a respected taxidermist such as Van Ingen & Van Ingen of Mysore, these can only be sold when they have been tanned and lined. Many skins include claws but when still part of the skin they are considered 'worked'.



CETACEA ETC



Items of scrimshaw (carved or incised whalebone and whale teeth) are considered 'worked' and can be sold freely within the EU subject to the usual rules. So too can objects fashioned from the shells of marine turtles, commonly known as 'tortoiseshell'.

However, the new rules mean that CITES licences are required for sawfish rostrums, whole marine turtle shells, 'raw' narwhal tusks and sperm whale teeth whatever the age. They can be sold but only when accompanied by a so-called Article 10 certificate from the Wildlife Licensing & Registration Service. Certificates cannot be obtained retrospectively.



ELEPHANT IVORY



The definition of what constitutes 'worked' elephant ivory has changed significantly under the new rules. For tusks or sections of tusks to be considered 'worked' they now need to be fully carved or shaped into a new form such as a paper turner. Even when tusks are polished and permanently mounted as part of a decorative or functional object they no longer qualify as worked.

Four of the items pictured here would no longer qualify as the tusks essentially remain in their natural state. In short, if it looks like a raw tusk, it might be a problem.

The tusk carved across its whole surface, and the section of tusk fashioned as a brush pot, are both permissible, as are the pair of tea caddies that are veneered in sheets of ivory. Painted sheets of cut ivory, such as a portrait miniature, are also considered worked.



OTHER SPECIES

ANTLERS & HORNS



It is only the parts of species listed on CITES 'Annex A' list that are problematic. The items pictured here (a silver cocktail shaker with a warthog tusk handle and three silver-mounted cow horn beakers) are permissible as the species used are not on the endangered list.

The vast majority of mounted horns and antlers (even big game trophies) do not pose a problem – unless the species is on the CITES 'special status' list. It is important to do some homework. The springbok, for example, is not on the CITES list so the horns **below right** can be sold. The horns **below left** are from a red deer stag and present no problem. However, the horns, **below centre** are from the Bawean deer, a critically endangered species of deer found only in the island of Bawean in Indonesia. These would require a certificate to be sold at auction.

