

APPENDIX 1: ENDANGERED SPECIES (ASCENSION) CONTROL ORDINANCE
(Ordinance A2 of 1976)

AN ORDINANCE TO PROVIDE FOR THE CONTROL OF CERTAIN EXPORTS FROM, AND IMPORTS TO, ASCENSION.

Enacted by the Governor.

Commencement

[31 May 1976]

Short title

1. This Ordinance may be cited as the Endangered Species (Ascension) Control Ordinance.

Power to forbid certain imports and exports

2. The Administrator may, and if so directed by the Governor shall, from time to time by Order specify

- (a) any live or dead animal;
 - (b) any live or dead plant; or
 - (c) any article derived from any animal or plant;

and may forbid the import or export of the same.

Guidance in making specifications

3. The specification made under section 2 of this Ordinance shall, so far as is practicable and necessary, reflect the provisions of the Convention on International Trade in endangered Species of Wild Fauna and Flora, 1973.

Terms of licence issued by Administrator

4. (1) Any Order made under section 2 shall not apply to the importation or exportation of anything therein referred to under and in accordance with the terms of a licence issued by the Administrator.

(2) A licence issued under subsection (1) may be to any degree general or specific, may be expressed to be valid for such period as may be stated in the licence and may be modified or revoked at any time by the Administrator.

(3) A person who, for the purpose of obtaining, whether for himself or another, the issue of a licence under subsection (1)—

- (a) makes a statement which he knows to be false in a material particular,
 - (b) furnishes a document or information which he knows to be false in a material particular, or
 - (c) recklessly makes a statement which is false in a material particular,

shall be guilty of an offence and shall be liable on conviction thereof to a fine not exceeding £100 for a first offence and to a fine not exceeding £500 for a second or subsequent offence.

Offences

5. Any person who fails to comply with or contravenes any of the provisions of this Ordinance or any subsidiary legislation made hereunder shall be guilty of an offence and upon conviction shall be liable to a fine not exceeding £500 or a term of imprisonment not exceeding two years or to both such imprisonment and fine.

Offences by Company; etc

6. Where any offence under this Ordinance is committed by a company, firm or other association of individuals whether incorporated or not, every director and officer of the company, every partner and officer of the firm, and every member and every person concerned in the management of the affairs of the association, as the case may be, shall severally be liable to be prosecuted and punished for the offence, unless the act or omission constituting the offence took place without his knowledge, consent or connivance.

APPENDIX 2: WILD LIFE (PROTECTION) (ASCENSION) ORDINANCE
(Ordinance 2 of 1944 and Legal Notice 3 of 1967)

AN ORDINANCE TO PROTECT WILD LIFE IN ASCENSION.

Commencement

[12 April 1944]

Short title

1. This Ordinance may be cited as the Wild Life (Protection) (Ascension) Ordinance.

Interpretation

2. In this Ordinance, unless the context otherwise requires—
“Dependency” means the Dependency of Ascension, and the territorial waters thereof;
“wild life” includes all beasts, birds, reptiles, and insects, and the young and eggs thereof.

Regulations

3. The Governor may make regulations prohibiting or controlling the killing, capturing, or taking, of any wild life within Ascension. *(Amended by L.N. 3 of 1967)*

Offences

4. Any person who acts in contravention of, or fails to comply with, any regulation made under this Ordinance, or acts in contravention of, or fails to comply with, the conditions of any licence issued or authority granted under or in pursuance of this Ordinance, shall be guilty of an offence against this Ordinance.

Penalties

5. Any person who commits an offence against this Ordinance shall be liable on summary conviction to a fine not exceeding £50, and in the case of a second or any subsequent offence, in addition to such fine, to imprisonment with or without hard labour for a term not exceeding three months.

Forfeitures

6. Where any person has been convicted of an offence against this Ordinance any wild life or product thereof which has been the subject of such conviction shall be forfeited, and the court may, in addition to any other penalty that may be imposed, order any firearms, machine, instrument, apparatus, article or material which has been used in the commission of the offence to be forfeited also.

WILD LIFE (PROTECTION) (ASCENSION) REGULATIONS
(Legal Notices 18 of 1944 and 3 of 1948)

Short title

1. These Regulations may be cited as the Wild Life (Protection) (Ascension) Regulations.

Licence

2. (1) Any person desiring to kill, capture or take any of the wild life named in the Schedule to these Regulations shall apply to the Administrator for a licence stating the purpose for which the wild life is required, and giving such other particulars as the Administrator may require.

- (2) The Administrator may in his discretion grant or refuse the licence applied for, or may grant a licence on terms and conditions to be specified therein.

Penalty

3. Any person who kills, captures, takes or wilfully injures any wild life which is named in the Schedule to these Regulations, or has in his possession any such wild life or the product thereof except under the authority of a licence issued by the Administrator, and in accordance with the terms and conditions stated in such licence, shall be guilty of an offence against these Regulations.

SCHEDULE

Donkeys.

Goats.

All birds and the eggs and plumage thereof except domestic fowls.

Frogs and frog spawn.

Lizards and lizard eggs.

Turtles and turtle eggs.

APPENDIX 3: ASCENSION ENVIRONMENT CHARTER

Guiding principles

for the UK government, for the government of [*our territory*] and for the people of [*our territory*].

- 1.) To recognise that all people need a healthy environment for their well-being and livelihoods and that all can help to conserve and sustain it.
- 2.) To use our natural resources wisely, being fair to present and future generations.
- 3.) To identify environmental opportunities, costs and risks in all policies and strategies.
- 4.) To seek expert advice and consult openly with interested parties on decisions affecting the environment.
- 5.) To aim for solutions which benefit both the environment and development.
- 6.) To contribute towards the protection and improvement of the global environment.
- 7.) To safeguard and restore native species, habitats and landscape features, and control or eradicate invasive species.
- 8.) To encourage activities and technologies that benefit the environment.
- 9.) To control pollution, with the polluter paying for prevention or remedies.
- 10.) To study and celebrate our environmental heritage as a treasure to share with our children.

Commitments

The government of the UK will:

- 1.) help build capacity to support and implement integrated environmental management which is consistent with [*our territory*'s] own plans for sustainable development.
- 2.) assist [*our territory*] in reviewing and updating environmental legislation.
- 3.) facilitate the extension of the UK's ratification of Multilateral Environmental Agreements of benefit to [*our territory*] and which [*our territory*] has the capacity to implement.
- 4.) keep [*our territory*] informed regarding new developments in relevant Multilateral Environmental Agreements and invite [*our territory*] to participate where appropriate in the UK's delegation to international environmental negotiations and conferences.
- 5.) help [*our territory*] to ensure it has the legislation, institutional capacity and mechanisms it needs to meet international obligations.
- 6.) promote better cooperation and the sharing of experience and expertise between [*our territory*], other Overseas Territories and small island states and communities which face similar environmental problems.
- 7.) use UK, regional and local expertise to give advice and improve knowledge of technical and scientific issues. This includes regular consultation with interested non-governmental organisations and networks.
- 8.) use the existing Environment Fund for Overseas Territories, and promote access to other sources of public funding, for projects of lasting benefit to [*our territory*'s] environment.

- 9.) help [*our territory*] identify further funding partners for environmental projects, such as donors, the private sector or non-governmental organisations.
- 10.) recognise the diversity of the challenges facing Overseas Territories in very different socio-economic and geographical situations.
- 11.) abide by the principles set out in the Rio declaration on environment and development (See Annex 2) and work towards meeting International Development Targets on the environment (See Annex 3).

The government of [*our territory*] will:

- 1.) bring together government departments, representatives of local industry and commerce, environment and heritage organisations, the Governor's office, individual environmental champions and other community representatives in a forum to formulate a detailed strategy for action. (See Annex 1).
- 2.) ensure the protection and restoration of key habitats, species and landscape features through legislation and appropriate management structures and mechanisms, including a protected areas policy, and attempt the control and eradication of invasive species.
- 3.) ensure that environmental considerations are integrated within social and economic planning processes; promote sustainable patterns of production and consumption within the territory.
- 4.) ensure that environmental impact assessments are undertaken before approving major projects and while developing our growth management strategy.
- 5.) commit to open and consultative decision-making on developments and plans which may affect the environment; ensure that environmental impact assessments include consultation with stakeholders.
- 6.) implement effectively obligations under the Multilateral Environmental Agreements already extended to [*our territory*] and work towards the extension of other relevant agreements.
- 7.) review the range, quality and availability of baseline data for natural resources and biodiversity.
- 8.) ensure that legislation and policies reflect the principle that the polluter should pay for prevention or remedies; establish effective monitoring and enforcement mechanisms.
- 9.) encourage teaching within schools to promote the value of our local environment (natural and built) and to explain its role within the regional and global environment.
- 10.) promote publications that spread awareness of the special features of the environment in [*our territory*]; promote within the territory the guiding principles set out above.
- 11.) abide by the principles set out in the Rio declaration on environment and development (See Annex 2) and work towards meeting International Development Targets on the environment (See Annex 3).