

2007 No. 2465

ANIMALS

DANGEROUS WILD ANIMALS

**The Dangerous Wild Animals Act 1976 (Modification) (No.2)
Order 2007**

Made - - - - - *20th August 2007*

Laid before Parliament *24th August 2007*

Coming into force in accordance with article 1

The Secretary of State makes the following Order in exercise of the powers conferred by section 8(1) of the Dangerous Wild Animals Act 1976(a).

In accordance with that section, he is satisfied that the scope of that Act should be both extended so as to include animals of a kind not for the time being specified in the Schedule to that Act and diminished so as to exclude animals of a kind for the time being specified in that Schedule.

Citation, extent and commencement

1.—(1) This Order may be cited as the Dangerous Wild Animals Act 1976 (Modification) (No.2) Order 2007.

(2) Articles 2 and 3(2) extend to England and Wales only.

(3) This article and article 3(1) come into force on 30th September 2007.

(4) Articles 2 and 3(2), and the Schedule, come into force on 1st October 2007.

Modification to the Dangerous Wild Animals Act 1976

2. For the Schedule to the Dangerous Wild Animals Act 1976(b) substitute the Schedule set out in the Schedule to this Order.

Revocations

3.—(1) The Dangerous Wild Animals Act 1976 (Modification) Order 2007(c) is revoked.

(2) The Dangerous Wild Animals Act 1976 (Modification) Order 1984(d) is revoked.

(a) 1976 c.38.

(b) As substituted by S.I. 1984/1111.

(c) S.I. 2007/1437.

(d) S.I. 1984/1111.

20th August 2007

Phil Woolas
Minister of State
Department for Environment, Food and Rural Affairs

SCHEDULE

Article 2

“SCHEDULE

Section 7

KINDS OF DANGEROUS WILD ANIMALS

NOTE: See section 7(5) of this Act for the effect of the second column of this Schedule

<i>Scientific name of kind</i>	<i>Common name or names</i>
<u>MAMMALS</u>	
Marsupials	
Family Dasyuridae: The species <i>Sarcophilus lanarius</i> .	The Tasmanian devil.
Family Macropodidae: The species <i>Macropus fuliginosus</i> , <i>Macropus giganteus</i> , <i>Macropus robustus</i> and <i>Macropus rufus</i> .	The western and eastern grey kangaroos, the wallaroo and the red kangaroo.
Primates	
Family Cebidae: All species except those of the genera <i>Aotus</i> , <i>Callicebus</i> and <i>Saimiri</i> .	New-world monkeys (including capuchin, howler, saki, uacari, spider and woolly monkeys). Night monkeys (also known as owl monkeys), titi monkeys and squirrel monkeys are excepted.
Family Cercopithecidae: All species.	Old-world monkeys (including baboons, the drill, colobus monkeys, the gelada, guenons, langurs, leaf monkeys, macaques, the mandrill, mangabeys, the patas and proboscis monkeys and the talapoin).
Family Hominidae: All species except those of the genus <i>Homo</i> .	Anthropoid apes; chimpanzees, bonobos, orang-utans and gorillas.
Family Hylobatidae: All species.	Gibbons and Siamangs.
Family Indriidae: All species of the genera <i>Propithecus</i> and <i>Indri</i> (<i>Avahi laniger</i> is excepted).	Leaping lemurs (including the indri and sifakas). The woolly lemur is excepted.
Family Lemuridae: All species except those of the genus <i>Hapalemur</i> .	Large lemurs. Bamboo or gentle lemurs are excepted.
Edentates	

<p>Family Dasypodidae: The species <i>Priodontes maximus</i>.</p>	<p>The giant armadillo.</p>
<p>Family Myrmecophagidae: The species <i>Myrmecophaga tridactyla</i>.</p>	<p>The giant anteater.</p>
<p>Carnivores</p>	
<p>Family Canidae: All species except those of the genera <i>Alopex</i>, <i>Cerdocyon</i>, <i>Dusicyon</i>, <i>Otocyon</i>, <i>Pseudolopex</i>, <i>Urocyon</i>, <i>Vulpes</i> and <i>Nyctereutes</i>. The species <i>Canis familiaris</i>, other than the subspecies <i>Canis familiaris dingo</i>, is also excepted.</p>	<p>Wild dogs, wolves, jackals, the maned wolf, the bush dog and the dhole. Foxes, raccoon dogs and the domestic dog (but not the dingo) are excepted.</p>
<p>Family Felidae: All except—</p> <ul style="list-style-type: none"> (a) the species <i>Felis silvestris</i>, <i>Otocolobus manul</i>, <i>Leopardus tigrinus</i>, <i>Oncifelis geoffroyi</i>, <i>Oncifelis guigna</i>, <i>Catopuma badia</i>, <i>Felis margarita</i>, <i>Felis nigripes</i>, <i>Prionailurus rubiginosus</i> and <i>Felis silvestris catus</i>; (b) a hybrid which is descended exclusively from any one or more species within paragraph (a); (c) a hybrid of which— <ul style="list-style-type: none"> (i) one parent is <i>Felis silvestris catus</i>, and (ii) the other parent is a first generation hybrid of <i>Felis silvestris catus</i> and any cat not within paragraph (a); (d) any cat which is descended exclusively from any one or more hybrids within paragraph (c) (ignoring, for the purpose of determining exclusivity of descent, the parents and remoter ancestors of any hybrid within paragraph (c)); (e) any cat which is descended exclusively from <i>Felis silvestris catus</i> and any one or more hybrids within paragraph (c) (ignoring, for the purpose of determining exclusivity of descent, the parents and remoter ancestors of any hybrid within paragraph (c)). 	<p>All cats including the bobcat, caracal, cheetah, jaguar, leopard, lion, lynx, ocelot, puma, serval and tiger.</p> <p>The following are excepted:</p> <ul style="list-style-type: none"> (a) the wild cat, the pallas cat, the little spotted cat, the Geoffroy's cat, the kodkod, the bay cat, the sand cat, the black-footed cat, the rusty-spotted cat and the domestic cat; (b) a hybrid cat which is descended exclusively from any one or more species within paragraph (a); (c) a hybrid cat having as one parent a domestic cat and as the other parent a first generation hybrid of a domestic cat and any cat not within paragraph (a); (d) any cat which is descended exclusively from any one or more hybrids within paragraph (c); (e) any cat which is descended exclusively from a domestic cat and any one or more hybrids within paragraph (c).
<p>Family Hyaenidae: All except the species <i>Proteles cristatus</i>.</p>	<p>Hyænas. The aardwolf is excepted.</p>
<p>Family Mustelidae: All species of the genera <i>Amblonyx</i>, <i>Arctonyx</i>, <i>Aonyx</i>, <i>Enhydra</i>, <i>Lontra</i>, <i>Melogale</i>, <i>Mydaus</i>, <i>Pteronura</i> and <i>Taxidea</i>. The genus <i>Lutra</i> except the species <i>Lutra lutra</i>.</p>	<p>Badgers (except the Eurasian badger), otters (except the European otter) and the tayra, wolverine, fisher and ratel (otherwise known as the honey badger).</p>

The species <i>Eira barbara</i> , <i>Gulo gulo</i> , <i>Martes pennanti</i> and <i>Mellivora capensis</i> .	
Family Ursidae: All species including the species <i>Ailuropoda melanoleuca</i> and <i>Ailurus fulgens</i> .	All bears including the giant panda and the red panda.
Family Viverridae: All of the genus <i>Civettictis</i> . All of the genus <i>Viverra</i> . The species <i>Cryptoprocta ferox</i> .	The African, large-spotted, Malay and Indian civets and the fossa.
Pinnipedes	
Family Odobenidae: All species.	The walrus.
Family Otariidae: All species.	Eared seals.
Family Phocidae: All species except <i>Phoca vitulina</i> and <i>Halichoerus grypus</i> .	True or earless seals. The common seal (or harbour seal) and grey seal are excepted.
Elephants	
Family Elephantidae: All species.	Elephants.
Aardvark	
Family Orycteropodidae: The species <i>Orycteropus afer</i> .	The aardvark.
Odd-toed ungulates	
Family Equidae: All species except <i>Equus asinus</i> and <i>Equus caballus</i> .	Asses, horses and zebras. The donkey and domestic horse are excepted.
Family Rhinocerotidae: All species.	Rhinoceroses.
Family Tapiridae: All species.	Tapirs.
Even-toed ungulates	
Family Antilocapridae: The species <i>Antilocapra americana</i> .	The pronghorn.
Family Bovidae: All species except any domestic form of the genera <i>Bos</i> , <i>Bubalus</i> , <i>Capra</i> and <i>Ovis</i> .	Antelopes, bison, buffalo, gazelles, goats and sheep. Domestic cattle, buffalo, goats and sheep are excepted.
Family Camelidae: All species of the genus <i>Camelus</i> .	Camels.
Family Cervidae: All species of the genera <i>Alces</i> and <i>Rangifer</i> , except any domestic form of the species <i>Rangifer tarandus</i> .	The moose or elk and the caribou or reindeer. The domestic reindeer is excepted.
Family Giraffidae: All species	The giraffe and the okapi.
Family Hippopotamidae: All species.	The hippopotamus and the pygmy hippopotamus.
Family Suidae:	Old-world pigs (including the wild boar and the

All species except any domestic form of the species <i>Sus scrofa</i> .	wart hog). The domestic pig is excepted.
Family <i>Tayassuidae</i> : All species.	New-world pigs (otherwise known as peccaries).
Hybrids	
Any hybrid of a kind of animal specified (other than by way of exception) in the foregoing provisions of this column where at least one parent is of a kind so specified, and any animal of which at least one parent is such a hybrid. This does not include an excepted hybrid of the Family <i>Felidae</i> .	Any mammalian hybrids with at least one parent of a specified kind, and any animal of which at least one parent is such a hybrid. This does not apply to excepted cat hybrids.
<u>BIRDS</u>	
Cassowaries	
Family <i>Casuariidae</i> : All species.	Cassowaries.
Ostrich	
Family <i>Struthionidae</i> : All species.	The ostrich.
<u>REPTILES</u>	
Crocodilians	
Family <i>Alligatoridae</i> : All species.	Alligators and caimans.
Family <i>Crocodylidae</i> : All species.	Crocodiles and the false gharial.
Family <i>Gavialidae</i> : All species.	The gharial (otherwise known as the gavial).
Lizards and snakes	
Family <i>Atractaspididae</i> : All species of the genus <i>Atractaspis</i> .	Burrowing asps, also known as mole or burrowing vipers and stiletto snakes.
Family <i>Colubridae</i> . All species of the genera <i>Malpolon</i> and <i>Thelotornis</i> . The species <i>Dispholidus typus</i> , <i>Rhabdophis subminiatus</i> , <i>Rhabdophis tigrinus</i> , <i>Elapomorphus lemniscatus</i> , <i>Philodryas olfersii</i> , <i>Tachymenis peruviana</i> and <i>Xenodon severus</i> .	Certain rear-fanged venomous snakes, Montpellier snakes and African vine snakes (otherwise known as African twig or bird snakes). The boomslang, the red-necked keelback, the yamakagashi (otherwise known as the Japanese tiger-snake), the Argentine black-headed snake, the South American green racer, the Peruvian racer and the Amazon false viper.
Family <i>Elapidae</i> : All species.	Certain front-fanged venomous snakes including cobras, coral snakes, kraits, mambas, whipsnakes and all Australian poisonous snakes (including the death adders).
Family <i>Hydrophiidae</i> : All species.	Sea snakes.
Family <i>Helodermatidae</i> : All species.	The gila monster and the (Mexican) beaded lizard.
Family <i>Viperidae</i> : All species.	Certain front-fanged venomous snakes (including adders, the barba amarilla, the bushmaster, the fer-

	de-lance, moccasins, rattlesnakes and vipers).
<u>INVERTEBRATES</u>	
Spiders	
Family Ctenidae: The genus <i>Phoneutria</i> .	Wandering spiders.
Family Hexathelidae: The genus <i>Atrax</i> .	The Sydney funnel-web spider and its close relatives.
Family Sicariidae: The genus <i>Loxosceles</i> .	Brown recluse spiders (otherwise known as violin spiders).
Family Theridiidae: The genus <i>Latrodectus</i> .	The widow spiders and close relatives.
Scorpions	
Family Buthidae: All species.	Buthid scorpions.
Family Hemioscorpiidae: The species <i>Hemioscorpius lepturus</i> .	Middle-Eastern thin-tailed scorpion.”

EXPLANATORY NOTE

(This note is not part of the Order)

This Order substitutes, in England and Wales, the Schedule to the Dangerous Wild Animals Act 1976 (“the Act”), which specifies the kinds of animals to which the provisions of the Act apply. The changes effected by this order represent the outcome of a further review of the Schedule to the Act as last modified by S.I. 1984/1111. (The contents of the Schedule substituted by this Order differ slightly from those of the Schedule which would have been substituted by the Dangerous Wild Animals Act 1976 (Modification) Order 2007 (S.I. 2007/1437); the earlier Order is now revoked, before its coming into force, by this Order.)

This Order adds the following animals to the Schedule: the Argentine black-headed snake, the Peruvian racer, the South American green racer, the Amazon false viper, the Middle-Eastern thin-tailed scorpion and the dingo.

The following animals are no longer listed (other than by way of exception) in the Schedule and so the provisions of the Act no longer apply to them: certain smaller primates (woolly lemurs, tamarins, night (or owl) monkeys, titis and squirrel monkeys), sloths, the North American porcupine, the capybara, crested porcupines, certain types of cat (the wild cat, the pallas cat, the little spotted cat, the Geoffroy’s cat, the kodkod, the bay cat, the sand cat, the black-footed cat, the rusty-spotted cat; cat hybrids descended exclusively from such excepted species; cat hybrids having a domestic cat as one parent and a first generation hybrid of a domestic cat and a non-excepted cat as the other parent, and cats which are descended exclusively from such excepted hybrids or from such excepted hybrids and a domestic cat), cacomistles, racoons, coatis, olingoes, the little coatimundi, kinkajou, binturong, hyraxes, guanaco, vicugna, emus, sand snakes, the mangrove snake, and the Brazilian wolf spider.

A full impact assessment has not been produced for this instrument as no impact on the private or voluntary sectors is foreseen.

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DANGEROUS WILD ANIMALS

The Dangerous Wild Animals Act 1976 (Modification) (No.2)
Order 2007

£3.00

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E1272 8/2007 171272T 19585

