



UK Government

Ivory Act 2018: Post-Legislative scrutiny

Memorandum to the Environment, Food, and Rural Affairs
Committee



Government of the United Kingdom
Department for Environment, Food and Rural Affairs

Ivory Act 2018: Post-Legislative scrutiny

Presented to Parliament
by the Secretary of State for Environment, Food and Rural Affairs
by Command of His Majesty

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1. This memorandum has been prepared by the Department for Environment, Food and Rural Affairs (Defra) (“the Department”) for submission to the Environment, Food and Rural Affairs Committee (“the Committee”). It is published as part of the process set out in the document Post-Legislative Scrutiny – The Government’s Approach¹ (Cm 7320).
2. The memorandum summarises the provisions of the Ivory Act 2018 (“the Act”) in relation to England and Wales, Scotland, and Northern Ireland. The Devolved Governments were consulted during the drafting of this memorandum, and any data covers the whole of the United Kingdom (UK) as described above, unless otherwise stated.

Chapter 1: Introduction on the Origin of the Act

1. The Government introduced this legislation to address domestic and international commitments to adopt a ban on commercial activities in ivory.
2. Existing regulations prior to the Act concerning commercial activities in ivory were applied through the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), an international conservation agreement which aims to ensure that trade in endangered species does not threaten their survival.
3. Despite existing restrictions applied through CITES, which have prohibited the trade in new ivory (except in exceptional circumstances) from Asian elephants since 1975 and African elephants since 1990, elephants continued to be poached at unsustainable rates.
4. Prior to the Act and with CITES restrictions, the UK had one of the largest domestic ivory markets globally. The UK was and still is a net exporter of ivory globally. However, the levels of imports to and exports from the UK have significantly reduced following the prohibition coming into force, as demonstrated by CITES commercial usage trade data (see Annex A). Whilst most of the UK’s ivory trade prior to the Act was legal, from 2002 onwards the UK featured in several “cluster analyses” of ivory seizure data by the CITES “Elephant Trade Information System” (ETIS). These suggested that “the UK [had] consistently played a role in illegal ivory trade globally”². A number of studies found that the existence of a legal market provided cover for the illegal ivory trade³.
5. At the 17th Conference of the Parties to CITES, “Resolution 10.10 (Rev COP17) on Trade in Elephant Specimens” was agreed, a non-binding resolution recommending those parties with jurisdictions where there is a legal

¹ www.gov.uk/government/publications/post-legislative-scrutiny-the-governments-approach

² Ivory Impact Assessment - www.publications.parliament.uk/pa/bills/cbill/2017-2019/0215/IA182205_01.pdf

³ Ivory Impact Assessment - www.publications.parliament.uk/pa/bills/cbill/2017-2019/0215/IA182205_01.pdf

market for ivory items that is contributing to poaching or illegal trade should take all necessary measures to close their domestic ivory markets as a matter of urgency.

6. Formal public consultation on banning UK sales of ivory took place between 6 October 2017 and 29 December 2017⁴. Over the 12-week consultation period, the Department received over 70,000 responses. These included responses from members of the public, and a wide range of organisations, including antiques dealers, auction houses, musicians and conservation Non-Government Organisations (eNGOs). The consultation highlighted that the overwhelming majority of respondents supported the implementation of a ban. Views differed on the need for and the precise nature of exemptions to the proposed ban.
7. The Department published its response to the public consultation in April 2018⁵. The evidence received through the consultation exercise, as well as that received through other sources and engagement with stakeholders, informed the final scope of the UK ivory ban to be implemented through the Act.
8. The Ivory Bill was introduced to Parliament on 23 May 2018 and the Act received Royal Assent on 20 December 2018.

Chapter 2: Summary of Objectives

1. **The Overall Aims:** The Act's purpose is described as "*An Act to prohibit dealing in ivory, and for connected purposes.*"
2. The aim of the Act is to help conserve elephant populations by reducing poaching, achieved through significantly limiting the legal market for ivory items in the UK. This is intended to reduce demand for ivory both within the UK and overseas through the application of the sales ban to re-exports of ivory items from the UK. The Act also seeks to eliminate the opportunity to disguise recently poached ivory as antique items for sale through legal markets, and to prevent its re-export to "demand" markets, i.e. those markets where ivory continues to be a desirable commodity.
3. The ban aims to ensure that the UK plays a leading role in ending the illegal trade in ivory. Taking action on the UK domestic ivory market sends the clearest possible signal that ivory should not be seen as a commodity for financial gain or a status symbol.
4. The legislation has moral, geopolitical, and conservation aims, so whilst its primary purpose is not economic there is an economic rationale for intervention as the market was failing to appropriately protect elephants.

⁴ [//consult.defra.gov.uk/international/banning-uk-sales-of-ivory/](https://consult.defra.gov.uk/international/banning-uk-sales-of-ivory/)

⁵ [//assets.publishing.service.gov.uk/media/5abd0c20e5274a3f43557b1e/banning-ivory-consult-sum-resp.pdf](https://assets.publishing.service.gov.uk/media/5abd0c20e5274a3f43557b1e/banning-ivory-consult-sum-resp.pdf)

Some elephant populations are not being protected to the extent required to maintain sustainable levels and to the level expected by UK citizens. Ending the poaching of elephants is a global issue and therefore not wholly within the UK government's power. UK leadership in this area seeks to encourage other countries to close their markets, reduce demand, and stop poaching.

5. **The Ban**: Section 1 of the Act sets out the prohibition on commercial activities concerning ivory. It defines commercial activities as:
 - Buying, selling, or hiring ivory
 - Offering or arranging to buy, sell or hire ivory
 - Keeping ivory items for sale or hire
 - Exporting ivory from the UK for sale or hire
 - Importing ivory into the UK for sale or hire
6. The ban does not affect ownership of items made of or containing ivory, including inheriting, donating, or bequeathing. This is because the Act intends to prohibit the commercial UK ivory market, not interrupt individual ownership.
7. Ivory is defined in Section 37 as “the tooth or tusk of an elephant” to ensure the definition and extent of the ban are clearly established. This section also allows for amendments to include ivory of other animals or species whether extant or not by affirmative statutory instrument. This is to enable the prohibition to extend protection to other species, which was a significant amendment made during the passage of the Bill. The powers to extend the Act to other species were commenced by SI 2024/664 and enacted by SI 2025/9.
8. **Exemptions**: The UK government's public consultation document⁶, which addressed the recommendation from the Resolution 10.10 of the 17th CITES Conference of the Parties (Rev COP17) recognised that narrow exemptions to the ban on commercial activity for some ivory items may be warranted, but that any exemptions should not contribute to poaching or illegal trade. Strictly defined exemptions therefore apply where a ban on dealing in those items does not contribute directly or indirectly to the ongoing poaching of ivory-bearing species, and the intrinsic value of that item is not due to its ivory content. This is in line with other examples of domestic ivory trade bans globally.
9. Section 2 sets out an exemption to the prohibition for items made of, or containing, ivory, which are assessed as pre-1918 and of outstandingly high artistic, cultural, or historical value. There are a small number of ivory items which might be considered rare or significantly important examples of their type, which form part of our national and international cultural heritage. This exemption recognises that such items may continue to be traded when certified, without contributing directly or indirectly to the continued poaching of ivory-bearing species.

⁶ https://consult.defra.gov.uk/international/banning-uk-sales-of-ivory/supporting_documents/IVORY%20CONSULTATION.pdf

10. Sections 3-5 provide for the compliance processes by which a person wishing to engage in the commercial use of an ivory item under Section 2 must abide. A certification process is applied. The fees, application process, certificate details, and options to appeal against a refusal to grant an exemption certificate are specified in the primary legislation. The Secretary of State must receive the advice of a Prescribed Institution (a museum approved by the Secretary of State with experience working with ivory) before deciding whether the item meets the exemption criteria before issuing an exemption certificate. The purpose of this is to ensure that the strictest possible rigour is applied to ensuring items meet the criteria set out in Section 2.
11. Sections 6-9 set out the standard exemptions to the ban. These exemptions were based on recommendations and evidence provided in response to the consultation. Registrations under these sections make up the majority of items eligible for continued trade under the prohibition. These are:
- Portrait miniatures with a surface area of no more than 320cm² (excluding the frame) produced before 1 January 1918 (Section 6).
 - Items containing only a small proportion of ivory (known as a “de minimis” exemption) comprising less than 10% ivory by volume and produced before 3 March 1947 (Section 7).
 - Musical instruments comprising of less than 20% ivory by volume, and produced before 1 January 1975 (Section 8).
 - Dealings in ivory items to, and between, accredited museums (Section 9).
12. Sections 10-11 provide for the compliance processes by which a person wishing to engage in the commercial use of an exempted ivory item under Sections 6-9 must abide. Applicants are required to self-register their items in order to rely on one of these exemptions. The fees, application process, registration details, and invalidation or revocation processes are set out in the primary legislation. By registering an item, the owner will confirm that, to their understanding, the item qualifies under the relevant exemption. Once an item is registered, a unique ID is automatically generated, and the item may be traded without any delay, at the owner’s risk.
13. The fees payable for either certification or registration are set at a rate that intends to ensure full cost recovery for the build of the online registration system. This follows the “user pays” principle so that those who wish to continue to trade in ivory items are the ones who pay for this, rather than the taxpayer.
14. **Enforcement:** Sections 12-13 set out a range of offences created for the purpose of enforcing the UK ivory ban. This includes both criminal and civil sanctions, with further detail on civil sanctions provided for by Schedule 1. The intention of these sanctions is to enforce the prohibition on the ivory trade and demonstrate the seriousness with which these offences will be treated.

15. Sections 14-28 confer the necessary powers on the police, customs officials, and accredited civilian officers to enforce the ban, including powers of entry, seizure and search as applicable. Sections 29-33 provide for processes for the retention and disposal or return of seized items, with further provisions on search warrants provided for by Schedule 2. These sections align with other similar legislation and intend to ensure action can be taken by relevant authorities if the prohibition is breached.
16. **Operational:** Finally, sections 34-36 and 38-42 provide for general provisions and the application of the Act, necessary for its operation.

Chapter 3: Primary Legislation

1. The provisions of the Act were commenced by a series of three commencement orders. There was a delay between the Act receiving Royal Assent and Coming into Force. The reasons for this are discussed in Chapter 5: Legal Issues.
2. The Act came into force in stages, with certain key provisions commencing on 24 February 2022 and others commencing on different dates. The ivory ban with its enforcement provisions came into force on 6 June 2022. This staged approach allowed for a transitional period before the enforcement provisions in the Act came into force and enabled contracts in the course of performance at the time the prohibition came into force to be completed. All transactions were required to be completed by 3 July 2022. This was to support the businesses and individuals trading ivory to familiarise themselves with the legislation and the online registration system, thus minimising the impact on the main affected groups, including small and micro businesses which make up the vast majority of antiques dealers.
3. Section 37 (2-6) commenced on 21 May 2024, to enable powers to make legislation to extend the meaning of ivory under the Act to other ivory-bearing species beyond elephant (see Chapter 4: Secondary Legislation below).
4. The Act was fully implemented, except Schedule 1, Part 4, “*enforcement cost recovery notices*”. See Chapter 6 for further information. The cost effectiveness of this measure is being kept under review.
5. Annex B contains a full list with commencement number, date, and summary of what was commenced in each Order.

Chapter 4: Secondary Legislation

1. A list of secondary legislation under the Act can be found in Annex C. This includes date of issue and headline indication of purpose. It also highlights where subsequent legislation has resulted in textual amendments to the Act.

2. The most significant change brought about by secondary legislation is found in S.I. 2025/9 “The Ivory Act 2018 (Meaning of “Ivory” and Miscellaneous Amendments) Regulations 2025”⁷. This regulation came into effect on 7 January 2025 and extended the prohibition of the Act to four additional ivory-bearing species; common hippopotamus, killer whale, narwhal, and sperm whale. The same exemptions to the prohibition on trade that applied to elephant ivory now apply to ivory from these species, so that they are afforded the same protections as elephant under the Act.
3. During the Parliamentary passage of the Ivory Bill 2018, the government committed to gather evidence on extending the ban on the commercial dealing of elephant ivory in the UK to other ivory-bearing species (non-elephant ivory). Following a call for evidence in 2019, a public consultation ran from 17 July 2021 to 11 September 2021⁸. This received 997 responses from organisations and individuals, including two campaign responses. The government published its response to the consultation on 23 May 2023, and announced the intention to extend the ban on dealing ivory to five additional species⁹, all of which were listed under CITES, which means international trade in these species is regulated to ensure it does not threaten their survival.
4. Whilst the consultation also sought views on extending the Act to walrus, on 21 May 2024 the government confirmed that walrus would not be included in the final legislation. Walrus will continue to be protected under existing regulations on trade in seal products. Under those regulations, seal products including walrus ivory can only be imported and placed on the UK market for sale in limited circumstances and subject to strict controls. The government committed to keeping walrus ivory under review.
5. The primary legislation is the focus of this Post-Legislative Scrutiny, and therefore no further review of SI 2025/9 is made here.

Chapter 5: Legal Issues

Part 1: Judicial Review

1. Prior to the prohibition coming into force, a judicial review was brought by Friends of Antique Cultural Treasures Ltd (FACT), a new company formed by parts of the antiques industry, to challenge the Secretary of State for Environment, Food and Rural Affairs on the lawfulness of aspects of the Act. There were two grounds of challenge, firstly that the measures were incompatible with EU law and secondly that the measures were

⁷ www.legislation.gov.uk/uksi/2025/9/made

⁸ [//consult.defra.gov.uk/communications/extending-the-ivory-act-to-other-species/](http://consult.defra.gov.uk/communications/extending-the-ivory-act-to-other-species/)

⁹ www.gov.uk/government/consultations/extending-the-ivory-act-to-other-ivory-bearing-species/outcome/summary-of-responses-and-government-response#government-response

disproportionate under EU law and/or the European Convention on Human Rights in terms of how they achieved the objectives of the Act. This was heard by both the High Court¹⁰ and the Court of Appeal¹¹ who found that the Act was lawful. Permission to appeal to the Supreme Court was refused.

2. This protracted legal process, alongside the necessary work to introduce a new online registration system and appoint a regulator, resulted in the implementation of the Act taking place three years after it received Royal Assent.

Part 2: First-Tier Tribunal Appeal Review

1. If an application for an exemption certificate is refused or revoked, Section 5 of the Act provides a right to appeal the decision to the First-Tier Tribunal. The Act states that an appeal may be made on the grounds that the decision was based on an error of fact, was wrong in law, or was unreasonable.
2. The first, and to date only, appeal under this provision was heard on 18 September 2023 in the General Regulatory Chamber, with a decision published on 2 April 2024¹². The appeal was dismissed, as nothing put forward established that any of the above conditions applied to the Secretary of State's decision to refuse an exemption certificate.
3. As this was the first appeal under the Act, the judge set out the approach that the Tribunal should take and the reasons for this, including their interpretation of parliamentary intent. The judgment included a critique of some of the interpretations and procedural administration of the Act thus far.
4. The judge's main comments on the procedural administration of the Act are summarised as follows:
 - (i) The guidance and proforma checklist provided to Prescribed Institutions when assessing applications for exemption certificates was intended to help the assessor. However, the judge deemed this to be unnecessary and potentially confusing by introducing alternative tests that were inconsistent with the Act. They also raised a concern that the considerations posed to the assessor in the non-statutory checklist may mistakenly be believed to carry legal authority, therefore undermining their opinion and any reliance upon it by the Secretary of State. This proforma has subsequently been amended to reflect the wording in the Act only.
 - (ii) Whilst not material in this particular case, the judge considered that the identity of the expert assessor may be material in future appeals, and that assurances of confidentiality could not be guaranteed.

¹⁰ www.judiciary.uk/wp-content/uploads/2022/07/FACT-v-SoS-Final-1.pdf

¹¹ www.judiciary.uk/wp-content/uploads/2020/05/Final-Judgment-Antique-Cultural-Treasures-Ltd-v-DEFRA-18.05.2020.pdf

¹² www.bailii.org/uk/cases/UKFTT/GRC/2024/280.pdf

5. In both cases, the comments have been taken into consideration and accounted for in subsequent operating guidance and principles.

Chapter 6: Other Reviews, Consultations, and Guidance

1. The Department is not aware of any formal reviews of the Act completed by any governmental or parliamentary committee or body.
2. In addition to the public consultations on the ban on dealing ivory from elephants and other species, outlined in Chapters 1 and 4 respectively, public consultations were held on the implementation and enforcement requirements of the Act.
3. The consultation on implementing the Act, including guidance on the Act, ran from 9 March 2021 to 4 May 2021, and set out the government's proposals for implementation of the Act across three areas¹³. These were: the commencement of the Act, including the prohibition on dealing ivory; implementing the standard exemptions; and implementing the exemption for pre-1918 items of outstandingly high cultural, artistic or historical value. The government published its response to this consultation in September 2021¹⁴ and agreed to bring forward secondary legislation to implement the Act in line with the response.
4. The Act contains enforcement provisions for both civil and criminal sanctions. During the implementation phase of the Act, a consultation of the enforcement provisions and statutory guidance on enforcement was carried out. The proposed provisions and practical elements of implementing across the UK were discussed with UK Border Force, the National Wildlife Crime Unit (NWCU) and the police before consultation. The consultation on the enforcement of the Act ran from 23 August 2021 to 19 September 2021¹⁵. The consultation set out proposals for the operation of the sanctions regime under the Act and asked for comments on the draft statutory guidance on the use of civil sanctions: stop notices, monetary penalties and enforcement undertakings. The government published its response to the consultation on 6 December 2021, which agreed to introduce secondary legislation on civil sanctions provisions, and to update and publish statutory guidance on enforcement in line with the consultation response¹⁶.

¹³ [//consult.defra.gov.uk/communications/implementing-the-ivory-act/](https://consult.defra.gov.uk/communications/implementing-the-ivory-act/)

¹⁴ [//assets.publishing.service.gov.uk/media/61406e5be90e07043e85e04d/implementing-ivory-act-2018-summary-of-responses-government-response.pdf](https://assets.publishing.service.gov.uk/media/61406e5be90e07043e85e04d/implementing-ivory-act-2018-summary-of-responses-government-response.pdf)

¹⁵ [//consult.defra.gov.uk/communications/enforcement-of-the-ivory-act-2018/](https://consult.defra.gov.uk/communications/enforcement-of-the-ivory-act-2018/)

¹⁶ www.gov.uk/government/consultations/uk-ivory-ban-additional-enforcement-requirements-to-the-ivory-act-2018/outcome/additional-enforcement-requirements-to-the-ivory-act-2018-summary-of-responses-and-government-response

5. A list of guidance and statutory guidance published in respect of the Act can be found in Annex D.

Chapter 7: Preliminary Assessment

Introduction

1. The Act has been in force since 6 June 2022. Implementation of the Act was completed in full, save for one provision as outlined in Chapter 3.
2. The Department's preliminary assessment provides evidence that suggests the Act has been implemented effectively and has achieved its aim to reduce demand for ivory within the UK. The trends in legal imports and exports of ivory to and from Great Britain (Annex A) show that since the ban came into force, there has been a significant decrease in the amount of ivory traded internationally. The UK ban places strict restrictions on what may be legally traded within the UK, and also what can be commercially imported and exported. Whilst ivory is still seen by some as a desirable commodity, this indicates that the ban has had a positive impact by reducing, in particular, the amount of ivory being exported from the UK. As a result, this reduces the potential for laundering illegal ivory through legitimate commercial channels.
3. Feedback from the Devolved Governments gathered during this review indicates that the Act has been effectively implemented across the UK.
4. This section considers the different aspects of the implementation of the Act and how the legislation has performed post-implementation.

Part 1: Value for money

1. The Animal and Plant Health Agency (APHA) is responsible for regulating the Act and oversees its regulation and compliance. It is the management authority for CITES compliance which has synergies with the Act. This facilitated implementation of the Act's robust regulatory administration framework which APHA delivers efficiently and effectively. APHA has established operating procedures which allow flexible deployment of staff working in international trade to support cost-effective, excellent customer service.
2. The Department commissioned the Defra Digital, Data, Technology and Security (DDTS) team to build the online registration system which is hosted on gov.uk. The aim was to provide a cost-effective system to support registrations and aid compliance. During its implementation, the Department, APHA and DDTS engaged extensively with key stakeholders through workshops, meetings, and user research sessions to ensure that the systems and processes were suitable for users and those responsible for enforcing the Act. Feedback from one industry member noted "...the antiques trade

appreciated the implementation consultation exercises that were undertaken...”

3. The Ivory Registration Service¹⁷ was launched on 24 February 2022. The service allows users to register an ivory item or apply for an exemption certificate to deal in ivory under the Act. The service initially applied only to elephant ivory and was later updated to include ivory from four additional species added to the Act in January 2025.
4. The design of the online registration system was subject to user research during its production. The Department and APHA also sought informal feedback on the user experience of the system and associated guidance post-implementation, including through customer correspondence, the Ivory User Working Group, and Google analytics. This feedback suggests that users are engaging well with the system. There have been some technical issues, and the most serious have been fixed. Updates have been made to the online guidance based on user feedback to ensure that it is clear.
5. Whilst no major issues have been raised with the user journey of the system, it is acknowledged that there are some subjective, desirable, updates that users would like to see added to the system. This includes, for example, adding a shopping basket payment system for multiple transactions. However, this would only benefit a small number of high-level users, while the costs incurred would need to be shared amongst all users. The system takes a minimum viable product approach applying the essential developments only.
6. To register an item under a standard exemption currently costs £20.
7. To apply for an exemption certificate currently costs £250. This fee covers an administration element of £20 and £230 which is paid to the Prescribed Institution for an assessment.
8. Users may also register a group of between three and 20 items under a standard exemption for £50. These items must all be eligible for the same standard exemption and must be part of the same transaction to be sold or hired to the same person. Group applications require a manual application.
9. The fees were set at a rate that was intended to ensure full cost recovery for the build and administration of the online registration system. The extension to additional species has been added to the total IT build costs, which is now around £2m. This follows the “user pays” principle so that those who trade in ivory cover the associated costs of the IT build, rather than the taxpayer. The government anticipates that the IT system will recover its costs over 15 years.
10. The Department reviewed the administration element of the fees after two years and concluded that no change to the fees should be implemented at that time. Whilst numbers of registrations were expected to reduce over time, the Act was in the process of being extended to other ivory-bearing species. It was therefore viewed as beneficial to wait until it was possible to assess the impact of the extension on the number of registrations and applications for

¹⁷ www.gov.uk/guidance/dealing-in-items-containing-ivory-or-made-of-ivory

exemption certificates. An assessment of the payment to the Prescribed Institutions is due. The Act has since been extended to four additional species and the fees will continue to be kept under review to ensure full cost recovery of the online registration system.

11. Feedback from one industry stakeholder questioned whether the money spent on developing the online registration system would have been equally as effective if it was spent on projects to protect elephant populations in range states instead. The purpose of the fees is to achieve full cost recovery of the online registration system so that the cost of developing it is borne by those who benefit from the trade in exempt ivory items, rather than the taxpayer. This approach seeks to ensure that over the life of the online registration system there is no cost to the taxpayer. The government has funded projects to tackle the illegal wildlife trade and reduce poverty in developing countries through the Illegal Wildlife Challenge Fund (IWTCF), a UK government grants scheme. These projects contribute to reducing the demand for illegal wildlife products, strengthening law enforcement, establishing effective legal frameworks, and promoting sustainable livelihoods through innovative approaches, partnerships, and evidence-based interventions that protect endangered species, including ivory-bearing species.

Part 2: Stakeholder Engagement

1. During the implementation phase, the Department engaged extensively with a range of prospective Prescribed Institutions, the majority of which have taken on this vital role, and with Arts Council England (ACE) and the Department for Culture, Media and Sport (DCMS) to ensure the effective implementation of the provisions for items under Section 2 of the Act.
2. The Department also undertook a separate consultation on extending the ban on dealing in elephant ivory to other ivory-bearing species, which had overwhelming support. Since the implementation of the extension some stakeholders have questioned the applicability of the exemptions to non-elephant species, including the relevance of the dates in the exemptions to these species. Others wanted mammoth to be included although the case for its conservation clearly does not apply.
3. Since the prohibition came into force, there have been several stakeholder engagement sessions through the Ivory Act User Group, inviting a wide range of professionals from the antiques industry and other sectors involved in trading ivory items, held jointly by the Department and APHA. These meetings took place on a quarterly basis when the prohibition first came into force, reducing to bi-annually as the systems and legislation became more familiar to users.
4. The Department and APHA consider that these engagement sessions were beneficial, particularly at the start of the ivory ban, to receive feedback from stakeholders, provide training on the use of the online registration system,

and to refine the guidance. Industry professionals and bodies that represent them have attended regularly, using the forum to help ensure understanding and compliance with the Act.

5. Feedback gathered from the Ivory Act User Group in preparation for this memorandum indicates “*The rules in place are easy to follow and seem to work well*”.
6. The Department and APHA have held separate engagement sessions with eNGOs at a similar frequency to the industry working groups. This is considered similarly effective, particularly in respect of sharing research, trends and intelligence on the ivory trade.
7. APHA run regular surgeries for the Prescribed Institutions, which are supported by the Department. Feedback on these surgeries from the invited institutions has been largely positive, and it is recognised that they have improved since the Act was implemented. In particular, the surgeries were highlighted as a friendly, engaging space for the network to learn from one another and share information. The Department considers that the surgeries remain a useful way to iterate feedback and resolve queries regarding the operations of the Act with the institutions that are essential to its delivery.
8. Feedback from some museums (including some which are Prescribed Institutions under the Act) and organisations that work with museums indicated that there was some confusion over the definition of dealing as it relates to loans of items between museums (see Chapter 7, part 5, para 4).
9. The Department also sponsored a project called *Meeting the Challenges of the Ivory Act*¹⁸ which was funded by the Oxford University Public Policy Challenge Fund. This collaboration between Oxford University and the Victoria and Albert Museum aimed to: support museums in their role as Prescribed Institutions; set up a network of interested professionals including museums, enforcement bodies, and universities to support them in identifying items made from ivory; and create a digital guide and reference collection. A key output was the delivery of training in ivory identification to complement published guidance¹⁹. One Prescribed Institution noted that the “...*Challenge Workshop that included identification...was very useful*...”. The Challenge project also demonstrated the latest scientific developments in non-destructive ivory identification techniques which could potentially aid with the identification of ivory in the future.
10. On enforcement, APHA and the Department host an Ivory Act Enforcement Group which meets regularly to share information on the illegal ivory trade. As a result of the feedback received, APHA and the Department have advised on seized ivory and its destruction.

¹⁸ www.prm.ox.ac.uk/meeting-challenges-ivory-act

¹⁹ CITES / World Wildlife Fund publication: www.traffic.org/site/assets/files/13065/identification-guide-for-ivory.pdf

11. APHA has conducted proactive work with online listings platforms to ensure compliance. This includes eBay, which has put in place a tool to educate traders via its regulatory hub. Where adverts are taken down by eBay, a reason is given and where possible contact details are obtained to facilitate an advisory warning letter to be sent.
12. Similar proactive work is being undertaken with other online platforms where ivory is being sold, which remains a priority for the Department and APHA in its ongoing implementation of the Act. Any platform, on or offline, being used to advertise ivory is facilitating dealing, and is therefore liable under the Act. APHA works closely with enforcement partners to ensure the full range of civil sanctions is applied to those who breach the ban and to prevent future breaches.

Part 3: Exemptions of the Act and Compliance

1. From the date the Act came into force up to the end April 2025, there have been over 22,000 registrations and over 300 applications for exemption certificates for items made of or containing ivory.
2. Of those items registered, the majority, 53%, were registered under the de minimis exemption. This means these items contain less than 10% ivory by volume and were produced before 1947. Of the other standard registrations, portrait miniatures accounted for 31%, musical instruments 15%, and qualifying museums acquiring or selling items 1% of the total number of registrations. Whilst museums account for a small proportion of the overall exemptions, the Department recognises that this is a vital exemption to ensure museums as educational establishments can continue to acquire and hire out objects relevant to our history and culture.
3. The definition of a qualifying museum uses the accreditation status of the museum by a relevant authorising body. Currently, multi-site organisations such as National Trust and English Heritage are not recognised through those schemes although single sites within their organisation may hold accreditation status. The Department is working with DCMS and ACE to resolve this and ACE announced a review²⁰ of the scheme to take place during 2025.
4. The number of registrations and exemptions has remained largely stable over the last three years, although the Department expects these numbers to reduce over time. This is particularly the case for items granted an exemption certificate which remains with the item for its lifetime as long as the item continues to meet the exemption criteria. The volume of applications is monitored as part of the whole life cost recovery of the online registration system build.
5. The Department's initial assessment is that compliance with the Act has been generally high. For all the items registered since the Act came into force,

²⁰ www.artscouncil.org.uk/blog/making-museum-accreditation-work-you

approximately 2% of registrations have been cancelled following compliance screening. In the feedback received, one industry representative noted “*Our assessment is that there has been a considerable reduction in the number of antiques that incorporate elements of elephant ivory that are on sale...*”.

6. In 2022 and 2023, 100% of registrations received were checked by APHA compliance teams, and educational letters were sent out to applicants where non-compliance was found. Since 2024, APHA has taken a risk-based approach to compliance checks and now screens approximately 25% of registrations.
7. The Department and APHA recognise that non-compliance (both intentional and not) is a moving picture. As the Act becomes further embedded, flexible approaches to responding to non-compliance will be required to reflect changing prioritisation, including further use of the sanctions available under the Act. Further details on this are outlined below.
8. Although it is not a requirement of the Act to declare a registration number when advertising ivory items for sale, a small-scale study conducted by eNGO Born Free found that 95% of all identified elephant ivory listings that likely qualified for an exemption declared a registration number voluntarily²¹.
9. APHA has seen a gradual shift from individuals registering items and applying for exemption certificates to most registrations and applications being submitted by businesses and antiques dealers. This has enabled APHA to focus engagement and education on these key stakeholders.
10. Approximately 75% of all applications received come from members of the antiques industry on behalf of an item’s owner. Over the time the Act has been in force this has led to improved quality of applications and registrations, with the professional industry working well to upskill itself on the law, adapt its businesses and provide high-quality information about the items being sold. This, alongside the high-quality engagement, indicates eagerness from the industry to comply with the law.
11. Where necessary, APHA has spoken directly to antiques dealers, to provide education where non-compliance was found when there were no previous educational letters on file. The Department and APHA consider that taking this educative approach with the industry whilst the Act was in its infancy is likely to have contributed to the high levels of compliance observed.
12. The Department recognises that whilst the larger scale and professional antiques industry appear to have high levels of compliance and awareness of the Act’s requirements, there are a number of hobbyists and small-scale or one-off dealers who may be less aware. Recent intelligence has indicated that there are dealers who are dealing in ivory through antiques fairs and other trade shows who may either lack the awareness of requirements under the Act or are flagrantly breaking the law. APHA and other enforcement partners

²¹ www.bornfree.org.uk/news/born-frees-latest-ivory-investigation/

are adjusting approaches to engagement, education, and enforcement based on this emerging picture.

13. Items that are exempt under the Act might also be regulated under other legislation such as CITES. Ivory from species not covered by the Act may be regulated under other legislation such as CITES and the Seal Products Regulations 2010. Guidance has been provided to help users understand their responsibilities. There are clear processes in place to manage the relationship between the Act and CITES, for both of which APHA is the Management Authority. Applications for CITES Article 10 certificates for ivory items are checked to ensure the item has the necessary registration or exemption certificate under the Act before an Article 10 certificate is issued.
14. Ivory items being considered under other legislation or schemes such as the Cultural Gift Scheme²² operated by ACE must comply with the Act if the item is being dealt.

Part 4: Enforcement

1. As the regulator, APHA is responsible for compliance checks and civil sanctions enforcement. There are many other enforcement partners working together on enforcement of the Act, including but not limited to the police, accredited civilian officers, NWCU and Border Force, but only APHA has powers to issue civil sanctions. Where breaches of the Act are found, these are investigated, and civil sanctions may be imposed or criminal prosecutions brought.
2. Since the Act came into force, APHA had not issued any civil sanctions up to the end of October 2025²³.
3. The Department considers that this is at least in part due to the high levels of compliance and educative approach taken while the Act has become embedded. Reactive investigations resulting in an advisory warning letter to a direct offender have resulted in very few cases of repeat offending.
4. APHA has issued approximately 42 formal educational and advisory warning letters. Improvements to the warning letters have been made following feedback from recipients, to ensure any issues with comprehending and interpreting the law have been addressed.
5. As outlined above, APHA proactively checks compliance of items that have been registered and regularly queries suspicious items. APHA also takes effective action when non-compliance is reported to it by external bodies. Reports have come from a range of sources, including members of the public, antiques dealers seeking to ensure compliance with the Act, and eNGOs who monitor the sale of ivory.

²² www.artscouncil.org.uk/supporting-arts-museums-and-libraries/supporting-collections-and-cultural-property/cultural-gifts-scheme

²³ www.gov.uk/government/publications/ivory-act-2018-enforcement-and-civil-sanctions

6. For example, after receiving a report from Born Free, APHA revoked the registration of an item for sale under the de minimis exemption. The item was removed from sale on 28 January 2025, having been confirmed to contain more ivory than permissible under the exemption²⁴.
7. Similarly, as outlined above, APHA reviews its policies and practices around enforcement based on emerging evidence around the ways in which the ivory trade has changed since the Act came into force.
8. Although APHA undertakes intelligence led investigations, APHA is unable to deal with surveillance that falls under the Regulation of Investigatory Powers Act 2000 (RIPA), as this power lies with the police and other enforcement bodies (as intended under the Act). Where required, and if an investigation meets the threshold for referral, APHA will hand over to the police or the Defra Counter Fraud and Investigation Team (appointed Accredited Civilian Officers under the Act) for forensic investigation. APHA works closely with these enforcement partners, resulting in enforcement partners issuing at least one Community Resolution.
9. There is no requirement under the Act to report on criminal prosecutions and therefore this is not directly monitored. The Act forms part of a wide web of options available to enforcement partners to act on the illegal ivory trade, who may use powers under complementary legislation such as the Customs and Excise Management Act 1979. This, alongside the breadth of enforcement partners working in this area, means there is no formal mechanism for reporting criminal enforcement undertaken on the Act. As such, the Department does not have a complete list of criminal sanctions imposed under the Act.
10. The Department is aware of at least two convictions under the Act. One took place in Scotland, where a fine was issued to a woman illegally dealing in ivory online²⁵. The second, an antiques dealer in Lincolnshire was charged with 12 offences related to the illegal wildlife trade, including under the Act, and was sentenced to four months in prison suspended for 12 months and ordered to pay a fine²⁶.
11. CITES is a key priority for the NWCUC. Ivory currently accounts for approximately 4% of overall CITES intelligence and incidents (based on keyword searching conducted by NWCUC). Low levels of intelligence and seizures highlight that illegally traded ivory primarily involves carved trinket items, typically described as “tat”, with extremely low levels of tusk seizures being seen.
12. According to the NWCUC, intelligence and information recorded on ivory spiked in 2022, with 67% of ivory reports being received in June. This may imply a

²⁴ www.bornfree.org.uk/news/item-containing-ivory-withdrawn-from-auction/

²⁵ www.bbc.co.uk/news/articles/c3gg54jzp4mo

²⁶ www.lincolnshire.police.uk/news/lincolnshire/news/20252/may/man-sentenced-for-possessing-and-offering-for-sale-ivory-and-endangered-taxidermy-animals/

link between reports and intelligence on ivory and the Act's implementation. Between 2019 and 2024, only two reports related to elephant tusks, both of which were received in 2022.

13. Since the introduction of the Act, the NWCUC has seen a reduction in referrals and investigations into the illegal ivory trade. This lack of referrals and live investigations carried out by police forces across the UK may indicate that there has been an increase in compliance since the Act was implemented.
14. The 2025 additions to the Act to include narwhal, sperm whale, common hippopotamus and killer whale might have a rising impact of seizures and offences within the upcoming year.
15. Operation Thunder is an annual global effort to target the illegal wildlife trade and is co-led by Interpol and the World Customs Organisation²⁷. The Department, APHA, Police, Border Force, and the NWCUC join multi-agency partners to take action on criminal networks behind wildlife crime, including on ivory. These operations have resulted in a number of convictions for ivory-related offences, in the UK and internationally, which have been dealt with using a range of criminal sanctions including Community Resolutions.
16. Since the Act came into force, police forces participating in Operation Thunder in the UK have been encouraged to carry out visits to antiques shops and other similar establishments to look for the sale of ivory. A number of Community Resolutions were issued and educational advice provided. Routine monitoring of online trading sites also continues to be carried out. The implementation of the Act appears to have decreased the amount of ivory being advertised for sale both online and in antiques outlets (see Part 6: Impact and Influence – paragraphs 6 to 13).

Part 5: Implementation Challenges

1. Whilst overall the Act has been successfully implemented in full and its provisions are largely assessed as working well, there have been some challenges and lessons learned which may benefit future legislation and its implementation.
2. Feedback from Prescribed Institutions indicates the museums sector is generally positive regarding the inclusion in the Act of the accredited museum exemption. This means that important or culturally significant ivory items can, broadly, still be held, used, and acquired by museums, and may prove to be a useful template for similar legislation or policies. The Prescribed Institutions have been diligent in applying the conditions of the Act to their assessments, which are different to the conditions or measures set out in comparable schemes or legislation administered by DCMS.
3. Some of the Prescribed Institutions have indicated they have been approached for advice from smaller, regional museums due to a lack of

²⁷ www.gov.uk/government/news/crackdown-on-illegal-wildlife-products-at-the-border

certainty on where registrations are needed, particularly when the Act was new. There have been significant improvements in communication with museums and museums sector organisations since the Act came into force. This includes clarifying guidance related to certain types of activity undertaken by museums. It is recognised that there are some areas where institutions feel the need for ongoing guidance, for example around transportation and touring exhibitions, which the Department continues to prioritise.

4. There were unforeseen complexities arising from the Act and the operation of the Government Indemnity Scheme (GIS), which offers indemnity cover to facilitate loans of items to UK institutions. This has taken time to resolve, and it is acknowledged that these interactions were most acutely felt by the museums sector including the Prescribed Institutions. The Department worked closely with DCMS and ACE who operate the GIS and have since published revised guidance²⁸.
5. Due to the fluctuating numbers of applications, it has not always been possible to predict resource and expertise requirements required to process applications for exemption certificates.
6. It is recognised that this can lead to uneven burdens on Prescribed Institutions and experts who hold particularly in-demand knowledge at any given time. APHA works closely with the Prescribed Institutions to understand their capacity and reviews the knowledge and skills base of the institutions. Prescribed Institutions may also seek the opinion of an alternative expert outside of the institution, for example, a previously employed expert who is still active in the field. These areas will continue to be reviewed to ensure effective allocation of applications and to reduce the demand on particular curators.
7. It is also recognised that this can lead to applicants having long waiting periods for their item to be assessed. APHA communicates regularly with applicants when this is the case. The Department has recently extended the list of Prescribed Institutions which can provide advice to the Secretary of State to increase the amount of available expertise and ensure the system is robust. This remains a focus for the Department.
8. There is no requirement under the Act to display a registration number or exemption certificate when advertising ivory for sale. This is inconsistent with CITES regulations, where an A10 certificate must be displayed to sell an Annex A species. There have been recommendations made by eNGO's to make this declaration mandatory to deter non-compliance²⁹. Whilst the benefits of this are recognised, making a change of this nature would require amending the primary legislation, which has significant resource implications. The Department considers that the policy risk of not requiring a declaration to

²⁸ www.artscouncil.org.uk/supporting-arts-museums-and-libraries/supporting-collections-and-cultural-property/government-indemnity/ivory-act-and-government-indemnity

²⁹ www.bornfree.org.uk/news/born-frees-latest-ivory-investigation/

be displayed is low, and is mitigated by the fact that the majority of sellers display this voluntarily and those dealers selling larger amounts of ivory or other CITES listed species do so alongside the CITES requirements.

9. It is not illegal to own ivory although, as expected, one effect of the legislation has been to make it undesirable. Part of the intention behind the Act and its extension to other species was to signal that ivory should not be seen as a commodity for financial gain or a status symbol. This has led some owners to try to pass on their unwanted ivory to museums or charities. Feedback from Prescribed Institutions gathered as part of this assessment has indicated that the expected increase in large numbers of offers of ivory donations is a live issue for some, but for others it has not come to fruition. Some organisations have found this problematic and the Department and APHA have provided advice on the environmentally preferred methods for ivory destruction.

Part 6: Impact and influence

1. It is beyond the scope of this review to assess the impact of the Act on populations of ivory-bearing species. The responsibility to monitor wildlife populations is with the range states for the particular species. Elephant populations are usually managed according to elephant management plans at national levels and populations are difficult to estimate - counting elephants across large areas is challenging. The report to the 78th meeting of the CITES Standing Committee³⁰ in February 2025 noted that “the total number of forest elephants in Africa was an estimated 16% higher in 2022 than in 2015”, adding that this was largely due to a new survey technique. The report on African Savanna elephant status is being drafted. However, a recent KAZA Elephant Survey 2022 report³¹ concluded that, compared with the results of other “recent former surveys, the overall elephant population in the Kavango Zambezi Transfrontier Conservation Area appears to be stable” at 227,900 elephants. Survey methodologies may differ, so it is difficult to compare historic surveys with more recent surveys. Although the KAZA Elephant survey and report to the 78th CITES Standing Committee are encouraging, elephants of all species face increasing threats from the loss of and fragmentation of their habitats, and human-elephant conflict. It is not possible to isolate what impact the Act alone has had. The Act forms part of global efforts to reduce poaching and protect wild populations.
2. Feedback from one member of the Ivory Act User Group raised concerns regarding the impact of ‘well-meaning legislation’ on local populations and livelihoods. The issue of human-wildlife conflict is complex and beyond the scope of this domestic legislation. The Act was brought in as an intervention by the UK government to close its own domestic ivory market. It is noted that

³⁰ cites.org/sites/default/files/documents/E-SC78-65-01_1.pdf

³¹ Bussi re, E.M.S. and Potgieter, D. (2023) KAZA Elephant Survey 2022, Volume I: Results and Technical Report, KAZA TFCA Secretariat, Kasane, Botswana

the Act does not prevent individuals buying items containing ivory directly from local populations and bringing them to the UK as personal items as long as they do not intend to deal in them (however they must comply with other legislation such as CITES). This ensures minimal economic impact on indigenous communities who derive an income from the direct sale of those items. The Act is one part of wider efforts in this area and works alongside other policies which seek to provide protections and impact different areas of concern, for example the IWTCF³². The IWTCF provides grants up to £1.5 million per project, many of which prioritise elephants or other ivory-bearing species.

3. Since the Act came into force, the majority of registrations have come from owners or persons / businesses acting on their behalf who have an England address. These made up 92%³³ of all items registered by 6 May 2025. Scotland made up under 5% of all registrations, with owners in Wales (3%) and Northern Ireland (less than 1%) registering very few items.
4. This pattern is replicated in the number of exemption certificate applications, with 97%³⁴ coming from England and 1% coming from Scotland. There have been no applications for exemption certificates directly from either Wales or Northern Ireland. A small number of items have been registered (0.5%) or applied for exemption (2%) with no postcode, for example foreign applicants whose dealing involves the UK market.
5. It is not surprising that the Act has had the biggest impact in England, in line with the fact that most major auction houses and a significant proportion of antiques dealers are based in London and the Southeast. Antiques dealers in Wales, Scotland and Northern Ireland may choose to sell their items via English auction houses to access a larger market.
6. Prominent eNGOs for this legislation, Born Free and International Fund for Animal Welfare (IFAW), have both conducted research assessing the effectiveness of the Act. These are small scale studies, which were conducted and published independently of government.
7. IFAW commissioned MK Wildlife Consultancy, an independent researcher, to assess the effectiveness of the Act. This analysed the quantity of ivory being sold on online platforms and social media in the UK before (2021) and after (2023) the Act came into force.³⁵
8. The IFAW report summarises: *“Findings across the studies confirm the early indications that the UK Ivory Act is having a positive impact, with 66% fewer adverts and 33% fewer specimens offered on online marketplaces and no significant increase in the proportion of non-elephant ivory items between 2021 and 2023. A very limited number of adverts were found on social media*

³² //iwt.challengefund.org.uk/

³³ Due to rounding to whole percentages, total may not come to 100%

³⁴ Due to rounding to whole percentages, total may not come to 100%

³⁵ www.ifaw.org/uk/resources/impact-ivory-act-2018-report

*in 2023, which suggests traders have not shifted there – a positive finding enhanced by the work of these platforms in enforcing their policies”.*³⁶ (Page 3).

9. Born Free conducted a similar survey of online ivory sales over the course of a month prior to the prohibition coming into force in 2021³⁷, after it came into force in 2022³⁸, and one year later in June 2023³⁹. The same survey was also conducted by Born Free in June 2024, the results of which were shared with the Department during an engagement workshop in November 2024, although this data has not been published externally.
10. The 2023 study reports: *“Our investigation found that the total number of ivory listings has decreased since our first study”*. It goes on to say: *“The number of illegal ivory listings (those that could be determined as elephant ivory but would not meet the exemption criteria in the Ivory Act) was significantly lower in this investigation, suggesting that most of those advertising elephant ivory items for sale are complying with the new rules”*.⁴⁰ This positive trend was echoed in the data collected in 2024.
11. It is acknowledged that Born Free's research has continued to find instances of probable elephant ivory that are unlikely to meet any exemption criteria. However, this appears to be making up a smaller percentage of the overall market, which has itself shrunk considerably since the Act was brought into force. The identification and removal from sale and, if appropriate, enforcement continues to be a focus for APHA and the Department, and they continue to review their policies and practices in line with the emerging picture.
12. These published studies, whilst small in scale and limited by the nature of their methodologies, provide an indication that the Act has been successful in its aims to reduce the size of the UK ivory market, increasing clarity and reducing opportunities for laundering, as recommended by Resolution 10.10 (Rev COP17) on Trade in Elephant Specimens.
13. The NWCU has similarly reported that, although there is open-source evidence of ivory being sold, this is significantly lower than levels seen in 2021/2022. It is unknown whether the ivory ban has displaced illegal traders to the dark web or elsewhere, to conceal their operations, or whether the demand for ivory has truly diminished.
14. One aim of the ivory ban is to demonstrate that the UK does not consider commercial activities in any ivory that could fuel poaching to be acceptable, and to send a message that similar actions should be taken globally. Since its

³⁶ [//d1jyxxz9imt9yb.cloudfront.net/resource/1567/attachment/original/UK-IVORY-ACT-REPORT-2023-RGB_A4_FINAL_DIGITAL.pdf](https://d1jyxxz9imt9yb.cloudfront.net/resource/1567/attachment/original/UK-IVORY-ACT-REPORT-2023-RGB_A4_FINAL_DIGITAL.pdf)

³⁷ www.bornfree.org.uk/resource/are-ivory-sellers-lying-through-their-teeth/

³⁸ www.bornfree.org.uk/resource/a-tooth-for-a-tooth/

³⁹ www.bornfree.org.uk/news/born-frees-latest-ivory-investigation/

⁴⁰ *ibid*

inception as a Bill, the Act has enabled the UK to take a leading stance against ivory markets that contribute to poaching and illegal trade.

15. For example, the UK hosted the fourth International Conference on the Illegal Wildlife Trade in October 2018, where signatory countries including Vietnam, Thailand, and Singapore committed to reviewing their domestic legislation on ivory or to taking steps to close their domestic markets⁴¹.
16. Similarly, the UK's ban was cited as a model of best practice by Australia's inquiry into the trade in elephant ivory and rhinoceros horn, demonstrating strong political and diplomatic impact⁴².
17. Singapore cited the UK's ban, amongst others, as part of its public consultation on implementing a total ban on ivory sales⁴³, which was later implemented in September 2021.
18. The Act's clear stance enabled the UK to facilitate explicit inclusion of commitments on ivory in Free Trade agreements with Australia⁴⁴ and New Zealand⁴⁵, due to being able to demonstrate clear domestic leadership and prioritisation of the subject.
19. At an official level, the Department has worked with the FCDO to deliver an online workshop on our experience and expertise on designing and implementing a ban on ivory trade to an international audience.
20. Finally, on the international front, the UK continues to be a global leader by ensuring where possible that trade negotiation agreements contain commitments to combat the ivory trade. This includes the Free Trade Agreement the UK signed on 24 July 2025 with India, which has the largest population of Asian elephants.

⁴¹www.gov.uk/government/publications/declaration-london-conference-on-the-illegal-wildlife-trade-2018/london-conference-on-the-illegal-wildlife-trade-october-2018-declaration

⁴²www.apf.gov.au/Parliamentary_Business/Committees/Joint/Law_Enforcement/Elephantivoryrhinohorn/~media/Committees/le_ctte/Elephantivoryrhinohorn/report.pdf

⁴³www.reach.gov.sg/latest-happenings/public-consultation-pages/2018/proposed-ban-on-sales-of-elephant-ivory-and-ivory-products-in-singapore

⁴⁴[/assets.publishing.service.gov.uk/media/630344b4e90e0703b020c3fb/CS_Australia_1.2022_Free_Trade_vol5.pdf](https://assets.publishing.service.gov.uk/media/630344b4e90e0703b020c3fb/CS_Australia_1.2022_Free_Trade_vol5.pdf)

⁴⁵[/assets.publishing.service.gov.uk/media/621cb2838fa8f54916f45f73/uk-new-zealand-free-trade-agreement-chapter-22-environment.pdf](https://assets.publishing.service.gov.uk/media/621cb2838fa8f54916f45f73/uk-new-zealand-free-trade-agreement-chapter-22-environment.pdf)

Annex A: Trends in Ivory Trade

Summary of CITES commercial imports to Great Britain (GB) and exports from GB, of items made from elephant ivory, from 2020 to 2024

Year	Number of elephant ivory items IMPORTED to GB	Number of elephant ivory items EXPORTED (RE-EXPORTED) from GB
2020	153	163
2021	147	318
2022*	30	749
2023	15	43
2024	10	68

* The Ivory Act came into force in June 2022. See footnote for notes⁴⁶.

The data show that the UK is a net exporter of ivory. The Act came fully into force in 2022 and the CITES data show a decrease in the amount of ivory imported and significant increase in exported ivory. This is possibly due to ivory traders wanting to sell their ivory overseas before the UK ban came in. The amount of ivory imported and exported has decreased since the Act has been in force.

Annex B: Commencement Orders

SI	Title	Summary
S.I. 2022/93	The Ivory Act 2018 (Commencement No. 1) Regulations 2022	<ul style="list-style-type: none">• 1 February 2022: Section 1 comes into force for the purpose of exercising any power to make regulations.• 24 February 2022: Sections 2-11, 37 (1, 7, and 8), 38-44 come into force.• This allowed for the ban on dealing ivory to be in place, whilst allowing for a transitional period where enforcement action would not be taken on transactions in progress.

⁴⁶ Notes: 1) Export and Import data for all years have been collated using figures of *actual used quantity* (actual number of items exported or imported as recorded by Border Force) and not *applied for quantity* (the maximum number of items the applicant requests on the permit).
2) Data have been adjusted and may differ to CITES records. For example, while the CITES database logs each individual ivory key from a piano, this table counts the piano as a single item. These adjustments were made so that the data more accurately reflect the Ivory Act 2018 exemptions.
3) CITES data only cover Great Britain. Northern Ireland trade data is not available, however, the number of imports and exports is expected to be low due to the size of the antiques market and is unlikely to influence the UK trade profile.
4) Figures provided by APHA.

S.I. 2022/288	The Ivory Act 2018 (Commencement No. 2 and Transitional Provision) Regulations 2022	<ul style="list-style-type: none"> 15 March 2022: Section 1 in force for all remaining purposes. Section 12 and 13, and Schedule 1 (Parts 1-3, 5-8, 10, 14-8, 21, 22, 25) in force. 6 June 2022: Section 12 and 13 in so far as not already in force, Sections 14-36, Schedule 1 (Parts 9, 19, 20, 23, 24), and Schedule 2 (all parts) in force. This ended the transition period and fully implemented the ban, except Schedule 1, Part 4.
S.I. 2024/664	The Ivory Act 2018 (Commencement No. 3) Regulations 2024	<ul style="list-style-type: none"> 21 May 2024: Section 37 (2)-(6) comes into force, insofar as it is not already in force.

Annex C: Statutory Instruments

SI	Date in force	Title	Summary
S.I. 2022/94	24 February 2022	The Ivory Prohibitions (Exemptions) (Process and Procedure) Regulations 2022	Makes detailed provision for the operation of the exemptions under the Act.
S.I. 2022/311	6 June 2022	The Ivory Prohibition (Civil Sanctions) Regulations 2022	Makes detailed provision for the civil sanctions and enforcement regime which underpins the Act.
S.I. 2025/9	28 January 2025	The Ivory Act 2018 (Meaning of “Ivory” and Miscellaneous Amendments) Regulations 2025	<p>Amends section 37 of the Act to extend the definition of “ivory” (and so the prohibition on dealing in ivory under the Act) from “the tusk or tooth of an elephant” to “the tusk or tooth” of any of the following species: elephant, common hippopotamus, killer whale, narwhal or sperm whale.</p> <p>Amends the names of some of the Prescribed Institutions to their formal titles. Makes consistent the use of the terms referring to service throughout those regulations.</p>
S.I. 2025/510	15 May 2025	The Ivory Prohibitions (Exemptions) (Process and Procedure) (Amendment) Regulations 2025	Amends the list of Prescribed Institutions to add three more institutions.

Annex D: Guidance Published Under the Act

Guidance Title	Publication	Details of what the guidance covers
Ivory Act 2018 enforcement and civil sanctions	Published by the Department for Environment, Food, and Rural Affairs	Statutory guidance on: <ol style="list-style-type: none"> 1. Offences and enforcement 2. Enforcement undertakings 3. Stop notices 4. Monetary penalties 5. Challenges and appeals 6. Publication to report our use of civil sanctions 7. Enforcement cost recovery notices
Buy or hire ivory items	Published by the Department for Environment, Food, and Rural Affairs, and the Animal and Plant Health Agency	How to check if an ivory item you're buying or hiring has been registered or certified as exempt, and what you need to do as a new owner. Published 24 February 2022, last updated 28 January 2025
Ivory: apply for an exemption certificate to deal in pre-1918 outstandingly high artistic, cultural or historical value items	Published by the Department for Environment, Food, and Rural Affairs, and the Animal and Plant Health Agency	Find out if your ivory item may qualify for the pre-1918 outstandingly high artistic, cultural or historical value exemption, how to apply and what to do if it is refused or revoked. Published 24 February 2022, last updated 28 January 2025
Deal in items made of or containing ivory	Published by the Department for Environment, Food, and Rural Affairs, and the Animal and Plant Health Agency	What you need to do to buy, sell or hire out items made of or containing ivory in the UK. Published 24 February 2022, last updated 28 January 2025
Commodity codes that fall under the ban on dealing in ivory	Published by the Department for Environment, Food, and Rural Affairs, and the Animal and Plant Health Agency	A list of commodity codes that fall under the ban on dealing in ivory. Published on 21 October 2022, last updated 28 January 2025

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