

Level 3 Award in Chattels Auctioneering Update

February 2022

Ivory Act 2018 Activation (see Unit 2 p38)

The UK government has made regulations to start activating the Ivory Act 2018.

Regulations coming into force on 1 February 2022 give the Secretary of State the power to introduce regulations activating specific elements of the 2018 Act.

The Ivory Prohibitions (Exemptions) (Process and Procedure) Regulations 2022 come into force on 24 February 2022. Part 2 of these regulations allow individuals with ivory items that are outstandingly valuable and important pre-1918 items to apply for an exemption certificate from the Secretary of State to allow them to deal in the item specified in the exemption certificate.

In applying for the exemption certificate, the applicant must provide their name and address, email address and a photograph(s) of the item for which they want an exemption certificate. There is a fee of £250 payable per item for which an exemption certificate is being sought.

The details of the application will then be submitted to an assessor from one of the prescribed institutions (museums in England and Scotland) listed in the schedule to the Regulations. The assessor will then advise the Secretary of State about the merits of issuing an exemption certificate.

If the application is refused the applicant has the right to appeal to a First-tier Tribunal, which may refer the application back to the Secretary of State for reconsideration.

Part 3 of the Regulations relates to registration for exemption of other ivory items (pre-1918 portrait miniatures, pre-1947 items with low ivory content, or pre-1975 musical instruments). The application for registration for exemption is similar in terms of the information to be provided.

The fees for registration are £20 for a single item and £50 where a single proposed transaction or arrangement is to be made for multiple items (2 – 20 items) between the same owner and the same buyer or hirer.

Further announcements may be made in due course and you should be alert for these.

This information is an update for the workbooks MOL produces for the Propertymark qualifications. For additional information on the variety of Propertymark qualifications and MOL workbooks available, call MOL on 0161 203 2103/0345 203 2103.