

Asian hornet



Red-eared terrapin



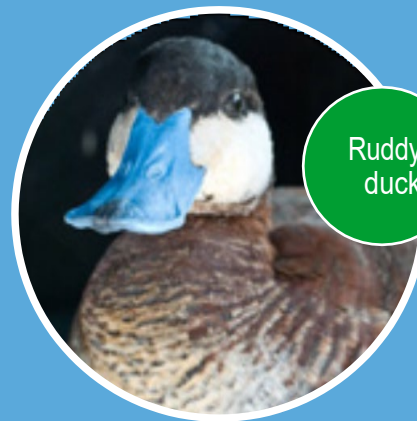
Giant hogweed



Raccoon



American skunk cabbage



Ruddy duck



Signal crayfish

Invasive Alien Species (Enforcement and Permitting) Order (Northern Ireland) 2019 Frequently Asked Questions

Sustainability at the heart of a living, working, active landscape valued by everyone.

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Background

The [EU Invasive Alien Species \(IAS\) Regulation \(1143/2014\)](#) came into force on 1 January 2015. The Regulation imposes strict restrictions on a list of species known as “Species of Union concern”. These are species whose potential adverse impacts across the European Union are such that concerted action across Europe is required.

On 14 July 2016 the European Commission published Commission [Implementing Regulation 2016/1141](#) which set out an initial list of 37 species to which EU Invasive Alien Species Regulation 1143/2014 applies. There were further updates in 2017, 2019, and again in 2022, with 22 new species added to the list (1 algae, 4 plant and 17 animal species). The current list now contains 88 species, 41 plants and 47 animals. The corresponding Northern Ireland Legislation, [The Invasive Alien Species \(Enforcement and Permitting\) Order \(Northern Ireland\) 2019](#) came into force on 1st December 2019.

N.B: Regulation for 4 of the 22 recently listed species (African clawed frog, mummichog, water lettuce, and oriental bittersweet) will not enter into force until 02/08/24, 02/08/24 ,02/08/24, and 02/08/27 respectively.

FAQ for the sectors that will be most affected by the new legislation are outlined below.

N.B : In Northern Ireland the Department of Agriculture Environment and Rural Affairs (DAERA) are the ‘Competent Authority’ to enforce this legislation.

The main thrust of this legislation puts a requirement on Northern Ireland to carry out the following measures with regards to present and future listed species;

1. Prevention
2. Early detection and rapid eradication of new invasions
3. Management of invasions that are already widely spread

Prevention

- A number of robust measures are foreseen to prevent new Invasive Alien Species from entering the EU in the first place, either intentionally or unintentionally.
- Prevention is always better and more cost effective than having to deal with the IAS after they have arrived.
- Pathway Action Plans (PAP) aim to identify pathways that require priority action and prevent unintentional introduction of IAS. These PAP’s are designed to address their routes of access, for example, Recreational Boating, Angling and Escape from Confinement (Zoos, private collections and trade), which are currently being updated prior to public consultation.

- ‘[Be Plant Wise](#)’ ‘[Be Pet Wise](#)’ and ‘[Check Clean Dry](#)’ are public prevention awareness campaigns which have been adopted throughout the UK, Ireland and all of the British Irish Council (BIC) administrations.

Early detection and rapid eradication

- A requirement of the Regulation was to nominate a specific surveillance system to detect the presence of IAS of Union concern as early as possible and take rapid eradication measures to prevent them from establishing. Northern Ireland uses [CEDaR](#) which is affiliated to the main UK system, [iRecord](#). Records can be entered to either system via the [iRecord](#) or [iNaturalist app](#).
- If an IAS arrives a Rapid Response Contingency Plan (RCP) is put into place to remove that species before it establishes. For example [The Northern Ireland Asian Hornet Rapid Response Contingency Plan](#).
- If an IAS has established, but its distribution is minimal, early eradication will be attempted before it has a chance to widen its area of distribution.

Management for already Widely Spread Species

- Some IAS of Union concern are already established in Northern Ireland.
- In Northern Ireland 11 species have been designated as [WSS](#), 3 animal and 8 plant species.
- [Article 19](#) of EU Regulation (1143/2014) requires Member States to produce effective management measures for each of the selected Widely Spread Species. These measures will endeavour to minimise the potential negative impact upon biodiversity, related ecosystem services, human health and the economy that these species will have.
- The management measures shall consist of lethal or non-lethal physical, chemical or biological actions aimed at the eradication, population control or containment of a population of an IAS.
- The management measures where possible must include actions to the receiving ecosystem to increase its resilience to current and future invasions, for example planting native plants where IAS have been removed. Under strict justification and a permit, already established IAS may be temporarily allowed as part of the management measures aimed at their eradication, population control or containment provided that all appropriate controls are in place to avoid any further spread.

- Management measures and their methods must take human health and the environment into consideration, especially non-targeted species and their habitats.
- When any WSS animal is subject to control measures, it must be ensured that they are spared any avoidable pain, distress or suffering, without compromising the effectiveness of the management measures.
- [Article 14](#) of EU Regulation (1143/2014) states the surveillance system provided shall be designed and used to monitor the management measures that are put in place to carry out effective eradication or control of these WSS to minimise their impact on biodiversity, the ecosystem and human health or the economy. The monitoring shall also assess the impact on non-targeted species, as appropriate.

Disclaimer: These FAQs do not represent a legal interpretation of Northern Ireland Legislation. They indicate our current understanding of the EU IAS Regulations and their implications, and may be subject to change if our understanding alters. If you wish to have a legal interpretation, you should seek your own legal advice.

General

What animals and plants are affected by the Regulation?

There are 47 animals and 41 plants on the list of Union concern. With 8 plant species and 3 animal species having been designated by DAERA as being Widely Spread Species (WSS) in Northern Ireland.

You can find the listed species [here](#).

What effect has Brexit had on this Regulation?

From 1 January 2021, the Northern Ireland Protocol, agreed as part of the UK's EU exit deal, listed certain EU legislation that would still be applicable in Northern Ireland. This included the [Invasive Alien Species \(EU\) Regulation 1143/2014](#). The Northern Ireland Protocol no longer exists and was replaced by the Windsor Framework in March 2023. Under the Windsor Framework, the requirements of [Invasive Alien Species \(EU\) Regulation 1143/2014](#) must still be fulfilled. This means that there is no change to the Regulation and enforcement of species included on the '[Species of Union Concern list](#)' in Northern Ireland.

What does listing of these species mean?

Strict restrictions will apply to these species (subject to exemptions detailed elsewhere in these FAQs) so they cannot be imported, kept, bred, transported, sold, used or exchanged, allowed to reproduce, grown or cultivated, or released into the environment.

What might these exemptions include?

Some examples are listed below:

- Pets may be kept for the remainder of their natural lives without a permit provided they were owned before the species in question was listed - these are referred to as companion animals. You can find out when each species was listed [here](#).
- If you have a listed plant in your garden, and it is not a Widely Spread Species ([WSS](#)) or a species [requiring rapid response](#), you can continue to keep it, provided you keep the plant under control and do not allow it to spread beyond the boundaries of your garden.
- Traders are able to continue to sell existing stocks for a 12 month transitional period from when an animal or plant has been listed. This currently applies to species added to the list in 2022 and to any species that may be listed in the future. The transition period for those listed before 2022 has now passed.
N.B: Regulations for 4 of the 22 recently listed species (African clawed frog, Mummichog, Water lettuce, and oriental bittersweet) will not enter into force until 02/08/24, 02/08/24, 02/08/24, and 02/08/27 respectively.
- Additionally, some establishments may apply for permits to allow them to keep listed species, but only for the purposes of research on the eradication of that species, e.g. birth control in grey squirrels or scientific production of medicinal products.

How do establishments get a permit to keep species?

Permits can be applied for directly from [APHA](#) as they are issued on a UK wide basis.

If you have any questions or problems with this process contact the NIEA INNS Team:

Email: invasivespecies@daera-ni.gov.uk

Tel: 028 9056 9558

In Northern Ireland a permit can be issued to an establishment/owner for the purposes of:

- Research that improves long term reduction/eradication of a particular invasive alien species e.g. birth control in grey squirrels;
- Scientific production, and subsequent medicinal use, where the use of products derived from an invasive alien species is necessary for the advancement of human health; or

- In exceptional circumstances (in accordance with [Article 9](#) of the Principal Regulation).

Who will be inspecting to ensure permits are being complied with?

In Northern Ireland, DAERA officers will carry out inspections when necessary to ensure that any conditions attached to permits are complied with. This legislation means that DAERA inspectors can do so without giving prior notice to owners.

What conditions do those with a permit have to follow when carrying out authorised activities?

Any authorised activity carried out under a permit must be done so in accordance with conditions laid out in [Article 8](#) of the [Invasive Alien Species EU Regulation No 1143/2014](#).

For listed **animals** conditions include:

- The listed animal is kept in a contained holding (including during any transport);
- The permitted activity is carried out by an appropriately qualified person;
- The animal is identifiable by markings, ringing etc.;
- The establishment of a continuous surveillance system;
- Having an approved contingency plan in place for any escaped animals; and
- Transport to and from holding must be done to avoid escape.

For listed **plants** conditions include:

- The listed plant is kept in a contained holding (including during any transport);
- The permitted activity is carried out by an appropriately qualified person;
- The establishment of a continuous surveillance system; and
- Having an approved contingency plan in place for any spread of the listed plant.

N.B : Some non-native species, for example *Stenopelmus rufinasus* weevil for control of *Azolla* sp. can be used to carry out biological control but to release them requires a Wildlife License from the NIEA Wildlife Team.

To apply for a licence and get more guidance visit [NIEA's wildlife licensing](#) page.

Does having a permit allow me to sell or release listed animals and plants?

No: A permit issued for research will not authorise the selling or the releasing of a listed animal or plant. A permit may be revoked if the listed animal escapes from contained holding, if the listed plant spreads beyond the contained holding or any failure to comply with a condition of the permit.

Do I need a licence to carry out management measures on any listed species?

No: Unless the location is within or adjacent to a designated site, in which case you will require consent from the [Conservation Designation and Protection team at NIEA](#).

When can a licence be issued?

A licence may be issued to allow a prohibited activity in relation to an Invasive Alien Species where the main purpose is implementing eradication and/or management measures for that species.

What activities may a licence be issued for when setting out to control some listed species?

A licence may be issued for activities including:

- To implement a rapid eradication at an early stage of invasion - dependant on the species i.e. culling outside recognised shooting seasons for wildfowl.
- The temporarily commercial use of WSS as part of their management measures - e.g. non-native weevils to biologically control aquatic weeds.
- If a non-commercial owner cannot ensure that a companion animal (an animal which was owned prior to the date it was listed) is kept in conditions where it cannot reproduce or escape, a licence may be granted to a permitted establishment to keep this animal until the end of its natural life.

Where do I get a licence to carry out management measures to control some invasive alien species?

To apply for a licence, contact the NIEA INNS team.

Email: invasivespecies@daera-ni.gov.uk

Tel: 028 9056 9558

What should I do if I've found a listed animal or plant species in the environment?

If you find or suspect a listed animal or plant in the environment, we would ask that you report it immediately. You can find details on how to report a sighting [here](#).

Do not attempt to trap or capture any of the listed animal species. Keeping and transporting the animal without the correct permissions, may lead to you being prosecuted.

Any listed plant species found should be left in situ, [reported](#) and this will enable the NIEA INNS team to contact the landowner to instigate management measures.

What can I do if I accidentally release a listed animal into the environment?

If you are unable to successfully/safely re-capture the animal yourself, please contact the NIEA INNS team for assistance.

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Tel: 028 9056 9558

Are there different transitional periods for members of the public and establishments?

Yes: The transition period for members of the public is 12 months and after this transitional period ends, retailers will no longer be able to sell listed species and you may be prohibited from introducing a plant on the list into your garden. This currently applies to species added to the list in 2022 and to any species that may be listed in the future. The transition period for those listed before 2022 has now passed.

N.B: Regulations for 4 of the 22 recently listed species (African clawed frog, Mummichog, Water lettuce, and oriental bittersweet) will not enter into force until 02/08/24, 02/08/24, 02/08/24, and 02/08/27 respectively.

How were these species selected?

The European Commission reviewed existing risk assessments to propose a list of species which were then considered and voted on by Member States.

A question that is regularly asked is '**why is Japanese knotweed not on the list**'?

'Examples of species with a compliant risk assessment but with insufficient evidence on the compliance of the species with the criteria for listing are Japanese knotweed and the common ragweed. There was insufficient evidence that inclusion on the Union list would effectively prevent, minimise or mitigate their adverse impact.

As a result, the IAS Committee decided that the listing would not be able to make a difference

An explanation on how species were selected for listing can be found at:

https://ec.europa.eu/environment/pdf/13_07_2016_QA_en.pdf

The complete Risk Assessment process for species selection can be found on the [CIRCABC](#) website.

Can species be added or removed from the list?

Yes: Species may be added by the Scientific Forum of the European Commission on the basis of a suitable risk assessment. The sectors affected will be informed of any proposed changes to the list of species and information on these pages will be amended as appropriate. Species may also be removed.

The complete Risk Assessment process for species selection can be found on the [CIRCABC](#) website.

When will additional species be proposed and listed?

Both the European Commission and the remaining Member States can propose additional species for inclusion on the Union list, according to Article 4(4) of the Regulation, including a risk assessment.

However, the Windsor Framework excludes the possibility for the United Kingdom in respect of Northern Ireland to:

- participate in the decision-making and decision-shaping of the Union;
- initiate objections, safeguard or arbitration procedures to the extent that they concern technical regulations, standards, assessments, registrations, certificates, approvals and authorisations issued or carried out by EU Member States;
- act as leading authority for assessments, examinations and authorisations; and
- invoke mutual recognition in the EU of authorisations issued by authorities of the United Kingdom.

Will we still have an input in future lists?

No: More specifically, this means inter alia the following:

- the United Kingdom in respect of Northern Ireland cannot object to any update of the list of invasive alien species of Union concern;
- the United Kingdom in respect of Northern Ireland cannot submit to the Commission requests for the inclusion of invasive alien species on the list of invasive alien species of Union concern as per Article 4(4) of Regulation (EU) No 1143/2014; and

- a permit under Article 8(2) of Regulation (EU) No 1143/2014 issued by the United Kingdom in respect of Northern Ireland is not recognised in an EU Member State.

Where can I find the details of penalties and sanctions for breach of this Legislation?

Details can be found at [The Invasive Alien Species \(Enforcement and Permitting\) Order \(Northern Ireland\) 2019](#).

Companion Animal (Pet) owners

What pets are covered by the new Regulation?

There are **47** animal species covered by the new Regulation but only **11** of them are regularly kept as pets. These are:

- | | |
|--|---------------------------------|
| • Pallas squirrel | <i>Callosciurus erythraeus</i> |
| • Small Indian mongoose | <i>Herpestes javanicus</i> |
| • American bullfrog | <i>Lithobates catesbeianus</i> |
| • Coati | <i>Nasua</i> |
| • Raccoon | <i>Procyon lotor</i> |
| • Fox squirrel | <i>Sciurus niger</i> |
| • Siberian chipmunk | <i>Tamias sibiricus</i> |
| • Red-eared,
yellow-bellied and
Cumberland sliders
(terrapin) | <i>Trachemys scripta spp</i> |
| • Finlayson's squirrel | <i>Callosciurus finlaysonii</i> |
| • African clawed frog | <i>Xenopus laevis</i> |
| • Common kingsnake | <i>Lampropeltis getula</i> |

More ID and species details can be found [here](#).

Will I be expected to have my pet put down?

Not necessarily: if you already own a pet that has been listed, you are permitted to keep that pet for the rest of its natural life as a companion animal. However, you will need to provide evidence of when you took ownership.

As a pet owner you must comply with the strict laws put in place ensuring:

- That it is kept in a secure enclosure and not allowed to escape;
- The pet won't be sold or exchanged;
- Transport only takes place for animal welfare purposes e.g. vets or boarding accommodation or moving house; and

- Appropriate measures are in place to prevent breeding.

Do I need to spay/neuter my pet?

In order to avoid any potential prosecution and animal confiscation, neutering or spaying is the most appropriate measure to prevent breeding. Neutering or spaying can also limit the impact the animal has upon the environment in the event of escape.

Neutering is also preferable on an animal welfare basis, as merely separating males and females may result in increased stress for the animals if they have previously been enclosed together.

Do I need to register or have a licence for my pet under the IAS Order?

No: If you have had a listed animal as a pet before the date it was listed, you can keep it for the rest of its natural life without a permit or licence as long as all the following apply:

- You keep it as a pet and not for any business reason;
- You keep it at home in a 'contained holding' that it cannot escape from, for example, a cage or aquarium;
- You must keep it from coming in contact with the public;
- You do not let it breed; and
- You do not sell, exchange or give it away.

However, there is a requirement under the [Dangerous Wild Animals \(Northern Ireland\) Order 2004](#) to hold a licence to keep certain types of animals if they are classified as a Dangerous Wild Animal (DWA).

Which of the listed species also fall under the Dangerous Wild Animals (NI) order 2004?

Raccoon (*Procyon lotor*) and Coati (*Nasua*) are classified as DWA through [The Dangerous Wild Animals \(Northern Ireland\) Order 2004](#), and it aims to ensure that the animals are kept in a manner which protects public safety and safeguards the welfare of the animals.

Do I need a licence for a pet that is classified as a Dangerous Wild Animal (DWA) that I owned before the list came into effect?

If you already owned an animal with a DWA license before it appeared on the Union list you are still required to have a DWA licence and adhere to its conditions. As per EU IAS Regulation, you will also have to either separate males or females, or have them neutered. The Regulation forbids these species to breed. Further information on DWAs can be found on the [DAERA website](#).

Can I take my companion animal (pet) to the vet?

Yes: The conditions of owning a companion animal owned prior to the listing, mean it must be kept in a contained holding to ensure it doesn't escape during transportation.

Can I take my companion animal (pet) for a walk outside?

No: You can exercise your pet within a secure enclosure. However, taking it for a walk outside, even on a lead, is not permitted as it increases the risk of your pet escaping into the environment. It must not come in contact with the public.

Should I microchip my companion animal (pet)?

Yes: You should microchip your pet. A microchip can provide evidence of how long you have owned your pet and in the event of an escape, it will help find your pet. If you cannot microchip your pet, consider marking it with identification in some other way, e.g. ringing or shell marking.

I no longer want to keep my companion animal (pet). What should I do with it?

You cannot release it into the environment as that may be an offence and is also cruel to the animal. At present there are no licensed premises in Northern Ireland available for rehoming listed species. Contact the NIEA INNS Team and they will be able to assist you with other options.

Email: invasivespecies@daera-ni.gov.uk

Tel: 028 9056 9558

Can I give my companion animal (pet) to another private owner if I no longer want to keep it?

No: In Northern Ireland a listed animal cannot be rehomed. The Regulation only allows people to keep listed animals if they already owned one before the list came into effect and does not allow you to give it to someone else. (See previous question for more details)

Are animal rescue centres able to rehome a listed species?

No: In Northern Ireland a listed animal cannot be rehomed. The Regulation only allows people to keep listed animals if they already owned them before the list came into effect. It also does not allow you to give them to someone else or to an animal rescue centre.

What if my companion animal (pets) accidentally breeds after the Legislation came into force?

If this has happened you may have committed an offence under the Order. This may result in an enforcement action and confiscation and the euthanasia of the offspring. You must ensure that your companion animals are not able to breed! We would recommend neutering of animals, as merely separating males from females may only result in increased stress and become a welfare issue.

Will you be carrying out inspections of companion animal (pet) owners?

Not likely, but we do have the powers to do so: if the listed pet was a companion before the list came into effect then pet owners will be unlikely to have inspections carried out, unless the Department suspects the owner has breached the legislation.

Yes: there may be inspections carried out on establishments to ensure they are using the listed animal for the correct research as detailed on their permit, e.g. birth control in grey squirrels.

Pet shops

Will I be able to sell to the public, or purchase stock from a wholesaler, any of the species on the EU list?

Yes: Animals listed in the 2022 update and those listed in the future will have a transitional period to be sold or purchased. The transitional period for animals listed before 2022 has now passed and should not be on sale or purchased.

N.B: Regulations for 4 of the 22 recently listed species (African clawed frog, Mummichog, Water lettuce, and oriental bittersweet) will not enter into force until 02/08/24, 02/08/24, 02/08/24, and 02/08/27 respectively.

Those listed in 2022 and any future listings must be sold within;

- 12 months of the date of listing, if selling to the public;
- 24 months of the date of listing, if selling to an establishment that holds a valid permit.

If you see any of the listed species for sale in a pet shop/garden centre etc. please report this directly to the NIEA INNS team.

Email: invasivespecies@daera-ni.gov.uk

Tel: 028 9056 9558

Encounter animal businesses/ Education

Can I continue to use species as encounter animals if they are now listed?

If you currently use a species that has been listed as an encounter animal, you may continue to do so until the end of its natural life as long as it is kept and transported in a secure holding and shown in a secure environment from which it cannot escape, spread, breed or be removed.

If you no longer wish to use the animal as an encounter animal, you may keep it as a pet until the end of its natural life as long as it is kept securely so that it cannot escape or breed.

You must not use these species in shows or exhibitions that allow the public to interact with these animals.

You cannot keep an encounter animal as a pet if;

- Has been previously kept for commercial reasons,
- It came into your possession after the species was listed

You can contact the NIEA INNS team for guidance/assistance on what to do if you still own animals that you can no longer use as part of your animal encounter business.

Email: invasivespecies@daera-ni.gov.uk

Tel: 028 9056 9558

Zoos, private collections and wildlife parks

What zoo animals are on the list?

There are 47 species of animals on the list though not all of them are kept in zoos. Those most commonly kept in zoos are:

• Sacred ibis	<i>Threskiornis aethiopicus</i>
• Muntjac	<i>Muntiacus reevesi</i>
• Ruddy duck	<i>Oxyura jamaicensis</i>
• Pallas squirrel	<i>Callosciurus erythraeus</i>
• Small Indian mongoose	<i>Herpestes javanicus</i>
• American bullfrog	<i>Lithobates catesbeianus</i>
• Coati	<i>Nasua</i>
• Raccoon	<i>Procyon lotor</i>
• Fox squirrel	<i>Sciurus niger</i>
• Siberian chipmunk	<i>Tamias sibiricus</i>
• Red-eared, yellow-bellied and Cumberland sliders (terrapin)	<i>Trachemys scripta spp</i>
• Raccoon dog	<i>Nyctereutes procyonoides</i>
• Muskrat	<i>Ondatra zibethicus</i>
• Coypu	<i>Myocastor coypus</i>
• Chital deer	<i>Axis axis</i>
• Finlayson's squirrel	<i>Callosciurus finlaysonii</i>
• Common kingsnake	<i>Lampropeltis getula</i>
• African clawed frog	<i>Xenopus laevis</i>
• Red-vented bulbul	<i>Pycnonotus cafer</i>

More ID and species details can be found [here](#).

Can zoos keep existing species on the EU list?

Unless a zoo or an aquarium was in possession of a listed animal **prior** to the date it was listed, they cannot add listed animals to their existing stock in the future unless that species is endangered in its home range, which is very unlikely.

OR

If they are used for research a permit must be issued by NIEA, in which the research must be for the purpose of ex situ conservation or research into ways to eradicate the species, e.g. birth control in grey squirrels.

Are zoos permitted to keep or breed new specimens on the EU list?

A zoo may make an application for a permit if they are carrying out;

- Research for ex situ conservation or that improves long term reduction/eradication of a particular invasive alien species e.g. birth control in grey squirrels;
- Scientific production, and subsequent medicinal use, where the use of products derived from an invasive alien species is necessary for the advancement of human health; or
- In exceptional circumstances (in accordance with [Article 9](#) of the [Invasive Alien Species EU Regulation No 1143/2014](#)).

Can zoos take their animals to the vet?

Yes: for welfare purposes the listed animals can be transported to the vet as long as they are kept in a contained holder and that measures have been put in place to ensure that they don't escape.

Do zoos have to sterilise these animals to prevent breeding?

Yes: Unless they are part of an ex situ conservation objective. The Regulation obligates them to prevent listed animals from breeding therefore males and females must either be kept separately in contained holdings or where possible, a listed animal should be sterilised. This is the most appropriate measure as merely separating two animals that have been companions for quite some time could cause them distress and this would become an animal welfare issue.

Should I use a method to identify the animals?

Yes: You must mark or identify a listed animal, microchipping is the most appropriate method. If microchipping is not possible, you must use methods that do not hurt or cause the animal any stress, e.g. ringing or shell marking.

Can listed animals be sent to other zoos outside of Northern Ireland?

If you are sending an animal to a zoo outside Northern Ireland, contact the importing country before you export.

They may have their own permitting rules you'll need to follow. They may also refuse the consignment.

If they do allow you to export to their country, apply for a permit by contacting the NIEA INNS team:

Email: invasivespecies@daera-ni.gov.uk

Tel: 028 9056 9558

Do listed plants in zoos, or botanic gardens, have to be removed or managed?

Not necessarily: Establishments must act accordingly to the necessary management measures to ensure that the invasive plants, where present, do not spread any further in that area. Where this cannot be guaranteed, we would encourage establishments to consider safely removing and disposing of any listed plant.

For more information on management of these invasive plants, contact the NIEA INNS team or check out our campaign [Be Plant Wise](#).

Email: invasivespecies@daera-ni.gov.uk

Tel: 028 9056 9558

Horticulture trade

Will businesses be allowed to sell any of the listed plant species?

Yes: Plants listed in the 2022 update and those listed in the future will have a transitional period to be sold or purchased. The transition period for the plant species listed before 2022 has passed and these should not be on sale anywhere.

N.B: Regulations for 4 of the 22 recently listed species (African clawed frog, Mummichog, Water lettuce, and oriental bittersweet) will not enter into force until 02/08/24, 02/08/24, 02/08/24, and 02/08/27 respectively.

Those listed in 2022 and any future listings must be sold within;

- 12 months of the date of listing, if selling to the public;
- 24 months of the date of listing, if selling to an establishment that holds a valid permit.

For the purposes of exhausting stock, businesses can transfer listed species for destruction within 24 months of the date of listing without a permit.

Do the transitional arrangements apply to wholesalers?

Yes: The same rules apply to wholesalers. Where contracts are in place, they should supply their existing stock to retailers or dispose of it within the given 12 months; or they can sell stock to an establishment that holds a permit allowing them to use the listed species within the 24 month period.

N.B: This only applies to the plant species recently listed in 2022 and any future listed plants. The transition period for the plant species listed before 2022 has passed and these should not be on sale anywhere.

Gardeners

I have a plant on the list in my garden - is it prohibited to keep it?

Not necessarily: The answer depends on whether the plant in question is a Widely Spread Species ([WSS](#)) (see page 23), a species requiring [Rapid Response](#), or neither of these.

Yes: If the species in your garden is a [WSS](#), then you must inform the NIEA INNS team of the management measures you have in place. You should endeavour to eradicate these plants where possible, unless there are mitigating circumstances.

Yes: If the plant is a species requiring [Rapid Response](#) it needs to be eradicated. Contact the NIEA INNS team.

Email: invasivespecies@daera-ni.gov.uk

Tel: 028 9056 9558

No: If the plant is not a [Widely Spread Species](#) and it is not a species requiring [Rapid Response](#), then keeping the plant is not prohibited. However, you must act responsibly and not allow or encourage it to grow or spread outside your garden, which may be an offence.

N.B: It may be an offence if you were now to plant a listed plant on your land

Can I purchase a plant on the list?

Some plants: You can purchase a plant species that was listed in the 2022 update but those listed before 2022 have passed their transitional phase for selling or purchasing.

Plant species listed in the 2022 update and those listed in the future must be sold within:

- 12 months of the date of listing, if selling to the public;
- 24 months of the date of listing, if selling to an establishment that holds a valid permit.

N.B: Regulations for 4 of the 22 recently listed species (African clawed frog, Mummichog, Water lettuce, and oriental bittersweet) will not enter into force until 02/08/24, 02/08/24, 02/08/24, and 02/08/27 respectively.

I want to display my private collection of plants that have been listed, is this allowed?

Yes: But if you have listed plants in private collections on display to visitors you must have signs explaining:

- The risk of the species to native plants and animals;
- That it is an invasive alien species and what this means in law; and
- How the species can be managed and contained.

You must make sure visitors do not take cuttings or seeds. You must not sell, use or exchange any listed species.

Private Landowners

I have a plant on the EU list on my land - do I have to remove it?

Not necessarily: The answer depends on whether the plant in question is a Widely Spread Species ([WSS](#)), a species requiring [Rapid Response](#) or neither of these.

Yes: If the species on your land is a [WSS](#), then you must inform the NIEA INNS team of the management measures you have in place. You should endeavour to eradicate, unless there are mitigating circumstances, these plants where possible.

Yes: If the plant is a species requiring [Rapid Response](#), then it requires immediate action for eradication. Contact the NIEA INNS team:

Email: invasivespecies@daera-ni.gov.uk

Tel: 028 9056 9558

No: If the plant is neither a [Widely Spread Species](#) or a [Rapid Response](#) species then the regulation does not impose any obligations to remove the listed plant in question. However, you must act responsibly and not allow or encourage it to grow or spread outside your land, which may be an offence. Where this cannot be guaranteed, we would encourage you to consider safely removing and disposing of any listed plant.

If it is an aquatic listed plant follow '[Be Plant Wise](#)' guidance when [removing and disposing](#) them.

I have an animal on the EU list on my land - do I have to eradicate it?

Not necessarily: The answer depends on whether the animal in question is a Widely Spread Species ([WSS](#)), a species requiring [Rapid Response](#) or neither of these.

Yes: If the species on your land is a [WSS](#) then you must inform the NIEA INNS team as soon as possible, who will advise you on the best course of action.

Yes: If the animal species is a species requiring [Rapid Response](#) then it requires immediate action for eradication. Contact the NIEA INNS team:

Email: invasivespecies@daera-ni.gov.uk

Tel: 028 9056 9558

No: If the animal is neither a [Widely Spread Species](#) or a species requiring [Rapid Response](#) then the regulation does not impose any obligations to remove the listed animal in question. However, you should contact the NIEA INNS team as soon as possible who will advise on the best course of action.

Email: invasivespecies@daera-ni.gov.uk

Tel: 028 9056 9558

Can I transport any live listed plants from my land to another location?

No: You can only transport a live listed plant or anything from which it can reproduce outside your land if you're taking it to a facility for destruction or have a licence or permit issued by NIEA.

I find a listed aquatic plant that has already been growing in a water body on my land, am I in breach of the legislation?

Not necessarily: The answer depends on whether the aquatic plant in question is a Widely Spread Species ([WSS](#)), a species requiring [Rapid Response](#) or neither of these.

Yes: If the aquatic plant in question is a [Widely Spread Species](#), then you must inform the NIEA INNS team of the management measures you have in place. You should endeavour to eradicate, unless there are mitigating circumstances, the aquatic plant species where possible.

Yes: If the aquatic plant species is a species requiring [Rapid Response](#), then it requires immediate action for eradication. Contact the NIEA INNS team:

Email: invasivespecies@daera-ni.gov.uk

Tel: 028 9056 9558

No: If the aquatic plant in question is not a [Widely Spread Species](#) or a species requiring [Rapid Response](#), then the Regulation does not impose any obligations to remove any listed plant. If a listed aquatic plant is already growing in ponds, lakes or waterways on your land, either private or open to the public, it is not necessarily an offence.

It may be an offence if you intentionally introduce a listed aquatic plant or allow it to grow or spread outside your land into the environment. Invasive aquatic plants can damage ponds, waterways and the environment. Even tiny plant fragments can result in a species becoming established in the environment. Ensure upmost care when maintaining your pond and disposing of waste water.

You should follow '[Be Plant Wise](#)' for guidance to remove and dispose of any listed aquatic plant safely.

If I am a trained individual working with wildlife management and trap a listed animal, what should be done?

If you are controlling a wildlife population using humane measures, and have a license to do so, such as setting traps, then you must be trained and equipped to set traps correctly. You must take reasonable steps to avoid capturing non-targeted animals.

If a listed animal is unintentionally captured **may be an offence** to release the animal back into the environment.

If you have the correct training and equipment, you should dispatch the animal. The animal can also be dispatched by arrangement (i.e. vet or appropriately trained individual). Do not release the animal back into the environment.

You should not take a listed animal out of the environment and into your own possession, in addition to the dangers of handling a wild animal, it may also be an offence to do so.

If you have already taken an animal out of the environment, for example, to a vet or to keep it yourself, you must contact the NIEA INNS team immediately as you could be committing several offences.

Email: invasivespecies@daera-ni.gov.uk

Tel: 028 9056 9558

Do not release it back into the environment, this may be an offence.

Are members of the public that purchase existing stock within the transitional 12 month period required to get a permit to keep them?

No: If you have had a listed animal as a pet before the date it was listed, you can keep it for the rest of its natural life without a permit or licence as long as all the following apply:

- You keep it as a pet and not for any business reason;
- You keep it at home in a 'contained holding' that it cannot escape from, for example, a cage or aquarium;
- You must keep it from coming in contact with the public;
- You do not let it breed; and
- You do not sell, exchange or give it away.

Widely Spread Species

How many of the 88 listed species were designated as Widely Spread (WSS) within Northern Ireland and what are they?

There are **8 plant species** being categorised as Widely Spread within Northern Ireland

- American skunk cabbage (*Lysichiton americanus*);
- Chilean rhubarb (*Gunnera tinctoria*);
- Curly waterweed (*Lagarosiphon major*);
- Floating pennywort (*Hydrocotyle ranunculoides*);
- Giant hogweed (*Heracleum mantegazzianum*);
- Himalayan balsam (*Impatiens glandulifera*);
- Nuttall's waterweed (*Elodea nuttallii*); and
- Parrot's feather (*Myriophyllum aquaticum*).

There are **3 animal species** being categorised as Widely Spread within Northern Ireland

- Grey squirrel (*Sciurus carolinensis*);
- New Zealand flatworm (*Arthurdendyus triangulatus*); and
- Yellow-bellied/Red-eared/Cumberland slider (*Trachemys scripta-scripta/elegans/troostii*).

More ID and species details can be found [here](#).

What is Northern Ireland obliged to do with WSS? In other words do we have to eradicate them completely?

Northern Ireland does not have an obligation to completely eradicate IAS of Union concern that are already widely spread but we have agreed to reduce their coverage by 50% by 2030:

- As provided under Article 19(2) of the IAS Regulation, management measures can aim at the eradication, population control or containment of an IAS;
- It is up to the landowner to select the measures, with DAERA approval, ([see WSS Questionnaires](#)) appropriate to the local conditions; and
- Article 19(1) specifies that those measures shall be proportionate to the impact on the environment and appropriate to the specific circumstances of the Northern Ireland economy and be based on an analysis of costs and benefits. The risk management decisions in relation to IAS that are widely spread thus lie with the competent authority. Therefore, we must manage grey squirrels but are not obliged to eradicate them.

I have found a Widely Spread plant species present on my land, what steps should I take next?

If you have a widely spread species ([WSS](#)) present on your land as part of a private collection, you must inform the NIEA INNS team of the management measures you have in place. You should endeavour to eradicate, unless there are mitigating circumstances, WSS plants where possible.

Email: invasivespecies@daera-ni.gov.uk

Tel: 028 9056 9558

Management measures for listed plants in private collections must aim for eradication where:

- Prioritised or designated sites (e.g. Area of Special Scientific Interest) are impacted or likely to be impacted;
- There is a high likelihood of spread, e.g. the WSS plant is located along a river or stream or adjacent to any waterbody or area of high public footfall.

I have found a listed aquatic plant that is a Widely Spread Species present on my land, who should I contact?

If you have a Widely Spread Species ([WWS](#)) present on your land, you must inform the NIEA INNS team of the management measures you have in place to prevent its spread.

Email: invasivespecies@daera-ni.gov.uk

Tel: 028 9056 9558

You can also check our '[Be Plant Wise](#)' campaign.

I have found a Widely Spread animal species on my land, what steps should I take next?

If the species on your land is a [Widely Spread Species](#), you must inform the NIEA INNS team as soon as possible, who will advise you on the best course of action.

Do not attempt to trap or capture any of the listed animal species. Keeping and transporting the animal without the correct permissions, may lead to you being prosecuted.

Email: invasivespecies@daera-ni.gov.uk

Tel: 028 9056 9558

Am I allowed to display plants that are classified as Widely Spread Species?

No: If you want to use specimens of WSS plant species to educate people about managing or eradicating the species, you must apply for a licence by contacting the NIEA INNS team.

Email: invasivespecies@daera-ni.gov.uk

Tel: 028 9056 9558

Do I need a licence to carry out management measures on Widely Spread Species (WSS)?

No: But if your site is on or adjacent to a designated site you will require 'assent' from the [Conservation Designation & Protection team at NIEA](#).

What should I do if I see a listed widely spread species out in the environment?

If a Widely Spread Species ([WWS](#)) is growing in the environment, the landowner must inform NIEA of the management measures they have put in place. Management measure must prevent the spread of widely spread species, with the aim of eradication. Landowners must not intentionally grow, cultivate or allow to reproduce WSS plants.

Landowners should aim to remove and safely dispose of any WSS plant, more information on management measures and species details can be found [here](#).

Follow '[Be Plant Wise](#)' guidance when [removing and disposing](#) any WSS plant.

You should report any WSS plants to [CEDaR](#) online reporting or through the [iRecord app](#).

