
STATUTORY INSTRUMENTS

1985 No. 171

The Wildlife (Northern Ireland) Order 1985

PART II

Wildlife

Other protection

Protection of wild plants

14.—(1) Subject to the provisions of this Part, if any person—

- (a) intentionally [^{F1}or recklessly] picks, removes, uproots or destroys any wild plant included in Part I of Schedule 8 [^{F2}or any seed or spore attached to any such wild plant]; or
- (b) not being an authorised person, intentionally [^{F1}or recklessly] uproots or destroys any wild plant not included in that Part of that Schedule,

he shall be guilty of an offence.

(2) Subject to the provisions of this Part, if any person—

- (a) sells, offers or exposes for sale, or has in his possession or transports or causes to be transported for the purpose of sale at any premises, any live or dead wild plant included in Part I or Part II of Schedule 8, or any part of, or anything derived from, such a plant; or
- (b) publishes or causes to be published any advertisement likely to be understood as conveying that he buys or sells, or intends to buy or sell, any of those things,

he shall be guilty of an offence.

(3) Notwithstanding anything in paragraph (1), a person shall not be guilty of an offence by reason of any act made unlawful by that paragraph if he shows that the act was an incidental result of a lawful operation and could not reasonably have been avoided.

[^{F3}**(3A)** Subject to the provisions of this Part, any person who knowingly causes or permits to be done an act which is made unlawful by paragraph (1) or (2)(a) shall be guilty of an offence.]

(4) In any proceedings for an offence under paragraph (2)(a) [^{F4}or for an offence under paragraph (3A) relating to an act which is mentioned in paragraph (2)(a)], the plant in question shall be presumed to have been a wild plant unless the contrary is shown.

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| F1 | Words in art. 14(1)(a)(b) inserted (17.8.2011) by Wildlife and Natural Environment Act (Northern Ireland) 2011 (c. 15) , ss. 5(2)(c) , 40(1); S.R. 2011/285, art. 2 , Sch. |
| F2 | Words in art. 14(1)(a) inserted (17.8.2011) by Wildlife and Natural Environment Act (Northern Ireland) 2011 (c. 15) , ss. 12(2) , 40(1); S.R. 2011/285, art. 2 , Sch. |
| F3 | Art. 14(3A) inserted (17.8.2011) by Wildlife and Natural Environment Act (Northern Ireland) 2011 (c. 15) , ss. 6(6) , 40(1); S.R. 2011/285, art. 2 , Sch. |

Changes to legislation: *There are currently no known outstanding effects for the The Wildlife (Northern Ireland) Order 1985, Section 14. (See end of Document for details)*

F4 Words in art. 14(4) inserted (17.8.2011) by Wildlife and Natural Environment Act (Northern Ireland) 2011 (c. 15), ss. 39(1), 40(1), **Sch. 2 para. 14**; S.R. 2011/285, **art. 2**, Sch.

Changes to legislation:

There are currently no known outstanding effects for the The Wildlife (Northern Ireland) Order 1985, Section 14.