
STATUTORY RULES OF NORTHERN IRELAND

2019 No. 159

The Invasive Alien Species (Enforcement and Permitting) Order (Northern Ireland) 2019

PART 5

ENFORCEMENT

Appeals

25.—(1) Any person served with an enforcement notice under Article 22(1) may, at any time before the notice takes effect pursuant to Article 22(4), appeal against it to a magistrates' court.

(2) The procedure on appeal is by way of complaint and the Magistrates' Courts (Northern Ireland) Order 1981 applies to the proceedings.

(3) Where an appeal is made under paragraph (1), the notice shall not have effect pending the final decision of the magistrates' court or the withdrawal of the appeal.

(4) On an appeal the court may either quash or affirm the notice and, if the court affirms the notice, it may do so either in its original form or with such modifications as the court thinks fit.

(5) Paragraph (3) does not apply where the notice includes a statement that, in the opinion of the Department, there is an imminent risk of adverse effects or an imminent threat to biodiversity, ecosystem services, human health and/or the economy.

Commencement Information

II [Art. 25](#) in operation at 1.12.2019, see [art. 1\(1\)](#)

Changes to legislation:

There are currently no known outstanding effects for the The Invasive Alien Species (Enforcement and Permitting) Order (Northern Ireland) 2019, Section 25.