

Changes to legislation: Wildlife and Countryside Act 1981, PART 1 is up to date with all changes known to be in force on or before 18 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

SCHEDULES

[^{F1}SCHEDULE 9A

SPECIES CONTROL AGREEMENTS AND ORDERS (ENGLAND AND WALES)

Textual Amendments

- F1** Sch. 9A inserted (E.W.) (12.4.2015) by [Infrastructure Act 2015 \(c. 7\)](#), ss. **23(3)**, 57(4); S.I. 2015/481, reg. 3(a); S.I. 2015/990, reg. 2

PART 1

OVERVIEW AND INTERPRETATION

Overview

- 1 (1) This Schedule provides for—
- species control agreements between environmental authorities and owners of premises, and
 - species control orders made by environmental authorities, and for related matters.
- (2) A species control agreement or species control order may relate to—
- ^{F2}(a) a species of animal or plant included on the [^{F3}list of species of special concern],
 - (b) an invasive non-native species of animal or plant not falling within subparagraph (a), or
 - (c) a species of animal that is no longer normally present in Great Britain.]

This is subject to the other provisions of this Schedule.

- (3) The following definitions apply for the purposes of this Schedule.

Textual Amendments

- F2** Sch. 9A para. 1(2)(a)-(c) substituted for Sch. 9A para. 1(2)(a)(b) (1.12.2019) by [The Invasive Alien Species \(Enforcement and Permitting\) Order 2019 \(S.I. 2019/527\)](#), art. 1(1), **Sch. 4 para. 1(4)(a)** (with art. 1(2)(4)) (as amended by S.I. 2019/1213, regs. 1, 2(2))
- F3** Words in Sch. 9A para. 1(2)(a) substituted (31.12.2020) by [The Animal Health, Invasive Alien Species, Plant Breeders' Rights and Seeds \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1220\)](#), regs. 1(2)(c), **6(3)(a)**; 2020 c. 1, Sch. 5 para. 1(1)

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Definitions relating to species

- 2 (1) “Species” means any kind of animal or plant.
- (2) A species is “invasive” if, uncontrolled, it would be likely to have a significant adverse impact on—
- (a) biodiversity,
 - (b) other environmental interests, or
 - (c) social or economic interests.
- (3) A species is “non-native” if—
- (a) it is listed in Part 1 or 2 of Schedule 9, or
 - (b) in the case of a species of animal, it is a species—
 - (i) whose natural range does not include any part of Great Britain, and
 - (ii) which has been introduced into Great Britain or is present in Great Britain because of other human activity.
- (4) References to a species being “present” on premises include its being present at any stage in its life-cycle (for example, as eggs or seeds).
- (5) A species of animal is “no longer normally present in Great Britain” if—
- (a) it is a species listed in Part 1B of Schedule 9, or
 - (b) it is a species—
 - (i) whose natural range includes all or any part of Great Britain, and
 - (ii) which has ceased to be ordinarily resident in, or a regular visitor to, Great Britain in a wild state.

[The “list of species of special concern” means the list of species in the Annex to ^{F4}[^{F5}(6) Commission Implementing Regulation (EU) 2016/1141 adopting a list of invasive alien species of Union concern pursuant to Regulation (EU) No. 1143/2014 of the European Parliament and of the Council, as amended from time to time.]]

Textual Amendments

- F4** Sch. 9A para. 2(6) inserted (1.12.2019) by [The Invasive Alien Species \(Enforcement and Permitting\) Order 2019 \(S.I. 2019/527\)](#), art. 1(1), **Sch. 4 para. 1(4)(b)** (with art. 1(2)(4)) (as amended by [S.I. 2019/1213](#), regs. 1, 2(2))
- F5** Sch. 9A para. 2(6) substituted (31.12.2020) by [The Animal Health, Invasive Alien Species, Plant Breeders’ Rights and Seeds \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1220\)](#), regs. 1(2)(c), **6(3)(b)**; 2020 c. 1, Sch. 5 para. 1(1)

Environmental authorities

- 3 (1) “Environmental authority”, in relation to premises in England, means—
- (a) the Secretary of State,
 - (b) the Environment Agency,
 - (c) Natural England, and
 - (d) the Forestry Commissioners.
- (2) “Environmental authority”, in relation to premises in Wales, means—
- (a) the Welsh Ministers, and
 - (b) the Natural Resources Body for Wales.

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Owners and dwellings

- 4 (1) “Owner”, in relation to premises consisting of land, means—
- (a) a person, other than a mortgagee not in possession, who is for the time being entitled to dispose of the fee simple of the land, whether in possession or reversion,
 - (b) a person in possession under a lease, or
 - (c) a person who for the time being exercises powers of management or control over the land.
- (2) “Dwelling” means a building or structure, or part of a building or structure, occupied wholly or mainly as a dwelling.

Operations

- 5 (1) “Species control operations” are operations to do one or more of the following—
- (a) eradicate a species from premises;
 - (b) control a species on premises;
 - (c) prevent a species from returning to premises.
- (2) References to “carrying out” operations include arranging for operations to be carried out.]

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 53(3)(c)(ia) inserted by [2015 c. 20 Sch. 7 para. 2\(b\)](#)
- s. 53B(4A)(4B) inserted by [2015 c. 20 Sch. 7 para. 4](#)
- s. 53ZA inserted by [2015 c. 20 Sch. 7 para. 3](#)
- s. 54B54C inserted by [2015 c. 20 Sch. 7 para. 5](#)
- Sch. 13A inserted by [2015 c. 20 Sch. 7 para. 6](#)
- Sch. 14A inserted by [2015 c. 20 Sch. 7 para. 7](#)