
STATUTORY INSTRUMENTS

2019 No. 527

The Invasive Alien Species (Enforcement and Permitting) Order 2019

PART 2

Offences

Application of offences in the offshore marine area **E+W+S**

12.—(1) Subject to paragraph (2), the offences in this Part apply (in so far as they are capable of so applying) to any person—

- (a) in any part of the waters comprised in the offshore marine area;
- (b) on a ship in any part of the waters comprised in the offshore marine area;
- (c) on or under an offshore marine installation.

[^{F1}(1A) For the purposes of their application by virtue of paragraph (1), the offences in this Part apply as if the references to “Great Britain” in Article 7(1)(a) and (d) of the Principal Regulation included the offshore marine area, and the references to those offences in Table 1 of Schedule 1 are to be construed accordingly.]

(2) The offences in this Part do not apply to any person on a third country ship.

(3) In this article—

“offshore marine installation” means any artificial island, installation or structure (other than a ship) which is situated—

- (a) in any part of the waters designated under section 1(7) of the Continental Shelf Act 1962 (exploration and exploitation of the continental shelf) ^{M1}; or
- (b) in any part of the waters in any area designated under section 84(4) of the Energy Act 2004 (exploitation of areas outside the territorial sea for energy production) ^{M2};

“ship” means any vessel (including hovercraft, submersible craft and other floating craft) other than one which permanently rests on, or is permanently attached to, the seabed;

“third country ship” means a ship which—

- (a) is flying the flag of, or is registered in, any State or territory [^{F2}other than the United Kingdom]; and
- (b) is not registered in [^{F3}the United Kingdom].

Extent Information

E1 This version of this provision extends to England and Wales and Scotland only; a separate version has been created for Northern Ireland only

Status: There are multiple versions of this provision on screen. These apply to different geographical extents. **Skip to:** E+W+S - England, Wales and Scotland extent N.I. - Northern Ireland extent
Changes to legislation: There are currently no known outstanding effects for the The Invasive Alien Species (Enforcement and Permitting) Order 2019, Section 12. (See end of Document for details)

- F1** Art. 12(1A) inserted (E.W.S) (31.12.2020) by S.I. 2019/1220, **reg. 7(4)(a)** (as substituted by The Animal Welfare and Invasive Non-native Species (Amendment etc.) (EU Exit) Regulations 2020 (S.I. 2020/1590), regs. 1(1)(b)(i), **7(3)(a)**)
- F2** Words in art. 12(3) substituted (E.W.S) (31.12.2020) by S.I. 2019/1220, **reg. 7(4)(b)(i)** (as substituted by The Animal Welfare and Invasive Non-native Species (Amendment etc.) (EU Exit) Regulations 2020 (S.I. 2020/1590), regs. 1(1)(b)(i), **7(3)(a)**)
- F3** Words in art. 12(3) substituted (E.W.S) (31.12.2020) by S.I. 2019/1220, **reg. 7(4)(b)(ii)** (as substituted by The Animal Welfare and Invasive Non-native Species (Amendment etc.) (EU Exit) Regulations 2020 (S.I. 2020/1590), regs. 1(1)(b)(i), **7(3)(a)**)

Commencement Information

- I1** Art. 12 in force at 1.12.2019, see art. 1(1)

Marginal Citations

- M1** 1964 c. 29. Section 1(7) was amended by section 37 of, and paragraph 1 of Schedule 3 to, the Oil and Gas (Enterprise) Act 1982 (c. 23). Areas have been designated under section 1(7) by S.I. 1987/1265 (as amended by S.I. 2000/3062) and 2013/3162.
- M2** 2004 c. 20. Section 84(4) was substituted by paragraph 4 of Schedule 4 to the Marine and Coastal Access Act 2009 (c. 23). Areas have been designated under section 84(4) by S.I. 2004/2668 and 2013/3161.

Application of offences in the offshore marine area **N.I.**

^{F4}12.

Extent Information

- E2** This version of this provision extends to Northern Ireland only; a separate version has been created for England and Wales and Scotland only
- F4** Art. 12 omitted (N.I.) (31.12.2020) by virtue of The Animal Welfare and Invasive Non-native Species (Amendment etc.) (EU Exit) Regulations 2020 (S.I. 2020/1590), regs. 1(1)(b)(ii), **8(5)**

Status:

There are multiple versions of this provision on screen. These apply to different geographical extents.

Skip to:

- E+W+S - England, Wales and Scotland extent
- N.I. - Northern Ireland extent

Changes to legislation:

There are currently no known outstanding effects for the The Invasive Alien Species (Enforcement and Permitting) Order 2019, Section 12.