

SCHEDULE 4

Article 41

Amendments

PART 1

Amendments to primary legislation

Wildlife and Countryside Act 1981

1.—(1) The Wildlife and Countryside Act 1981(1) is amended as follows.

(2) In section 14 (introduction of new species etc.), after subsection (4) insert—

“(4ZA) Subsection (1)(a) does not apply to species included on the list of invasive alien species of Union concern adopted by the European Commission in accordance with Articles 4(1) and 10(4) of Regulation (EU) No 1143/2014 of the European Parliament and of the Council of 22 October 2014 on the prevention and management of the introduction and spread of invasive alien species, as amended from time to time.”.

(3) In Schedule 9 (animals and plants to which section 14 applies)—

(a) in Part 1 (animals which are established in the wild) omit the following entries—

<i>Common Name</i>	<i>Scientific Name</i>
Crab, Chinese Mitten	Eriocheir sinensis
Crayfish, Red Swamp	Procambarus clarkii
Crayfish, Signal	Pacifastacus leniusculus
Crayfish, Spiny-cheek	Orconectes limosus
Deer, Muntjac	Muntiacus reevesi
Duck, Ruddy	Oxyura jamaicensis
Goose, Egyptian	Alopochen aegyptiacus
Squirrel, Grey	Sciurus carolinensis;

(b) in Part 2 (plants)—

(i) omit the following entries—

<i>Common Name</i>	<i>Scientific Name</i>
Balsam, Himalayan	Impatiens glandulifera
Fanwort (otherwise known as Carolina Water-Shield)	Cabomba caroliniana
Hogweed, Giant	Heracleum mantegazzianum
Hyacinth, Water	Eichhornia crassipes

(1) 1981 c.69. Section 14 of the Act was amended by section 102 of, and Part 4 of Schedule 16 to, the Countryside and Rights of Way Act 2000 (c. 16) and sections 23 and 25 of the Infrastructure Act 2015 (c. 7). Section 14ZA was inserted by section 50 of the Natural Environment and Rural Communities Act 2006 (c. 16) and amended by section 25(3) of the Infrastructure Act 2015 (c. 7). Schedule 9 was amended by sections 24 and 25 of the Infrastructure Act 2015 (c. 7); S.I. 1992/320, 1992/2674, 1997/226, 1999/1002, 2010/609 and (in relation to Wales) 2015/1180. Schedule 9A was inserted by section 23(3) of the Infrastructure Act 2015 (c. 7). There are other amendments which are not relevant.

Status: This is the original version (as it was originally made).

<i>Common Name</i>	<i>Scientific Name</i>
Parrot's feather	<i>Myriophyllum aquaticum</i>
Pennywort, Floating	<i>Hydrocotyle ranunculoides</i>
Primrose, Floating Water	<i>Ludwigia peploides</i>
Primrose, Water	<i>Ludwigia grandiflora</i>
Rhubarb, Giant	<i>Gunnera tinctoria</i>
Waterweed, Curly	<i>Lagarosiphon major</i> ;
(ii) for the entry in respect of "Waterweeds" substitute—	
"Waterweeds (except Nuttall's Waterweed)	All species of the genus <i>Elodea</i> , except <i>Elodea nuttallii</i> ".

- (4) In Schedule 9A (species control agreements and orders)—
- (a) in sub-paragraph (2) of paragraph 1 (overview), for paragraphs (a) and (b) substitute—
- “(a) a species of animal or plant included on the Union list,
- (b) an invasive non-native species of animal or plant not falling within sub-paragraph (a), or
- (c) a species of animal that is no longer normally present in Great Britain.”;
- (b) in paragraph 2 (definitions relating to species), after sub-paragraph (5), insert—
- “(6) The “Union list” means the list of invasive alien species of Union concern adopted by the European Commission in accordance with Articles 4(1) and 10(4) of Regulation (EU) No 1143/2014 of the European Parliament and of the Council of 22 October 2014 on the prevention and management of the introduction and spread of invasive alien species, as amended from time to time.”.

PART 2

Amendments to secondary legislation

The Prohibition of Keeping of Live Fish (Crayfish) Order 1996

- 2.—(1) The Prohibition of Keeping of Live Fish (Crayfish) Order 1996(2) is amended as follows.
- (2) For article 1(2), substitute—
- “(2) In this Order “crayfish” means a freshwater decapod crustacean of the Families Astacidae, Cambaridae or Parastacidae, other than the species—
- (a) *Austropotamobius pallipes* (commonly known as the Atlantic stream, or white-clawed, crayfish);
- (b) *Orconectes limosus* (commonly known as the spiny-cheek crayfish);
- (c) *Orconectes virilis* (commonly known as the virile crayfish);
- (d) *Pacifastacus leniusculus* (commonly known as the signal crayfish);
- (e) *Procambarus clarkii* (commonly known as the red swamp crayfish); and

(2) S.I. 1996/1104, amended by section 73(2) of the Countryside and Rights of Way Act 2000 (c. 37); S.I. 1996/1374 and 2011/2292.

- (f) *Procambarus fallax* f. *virginalis* (commonly known as the marbled crayfish).”.
- (3) In article 2—
- (a) in paragraph (1), omit the words “(2) and”;
 - (b) omit paragraph (2).
- (4) Omit the Schedule.

The Wildlife and Countryside Act 1981 (Prohibition on Sale etc. of Invasive Non-native Plants (England) Order 2014

3. In the table in article 3 of the Wildlife and Countryside Act 1981 (Prohibition on Sale etc. of Invasive Non-native Plants) (England) Order 2014**(3)** omit the following entries—

<i>Common Name</i>	<i>Scientific Name</i>
Parrot’s Feather	<i>Myriophyllum aquaticum</i>
Pennywort, Floating	<i>Hydrocotyle ranunculoides</i>
Primrose, Floating Water	<i>Ludwigia peploides</i>
Primrose, Water	<i>Ludwigia grandiflora</i> .