

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

CHAPTER III

EARLY DETECTION AND RAPID ERADICATION

[^{F1}Article 15

Official controls

1 By 2 January 2016, [^{F2}the Secretary of State] shall have in place fully functioning structures to carry out the official controls necessary to prevent the intentional introduction into [^{F3}Great Britain] of invasive alien species [^{F4}of special concern]. Those official controls shall apply to the categories of goods falling within the Combined Nomenclature codes to which a reference is made in the [^{F5}list of species of special concern], pursuant to Article 4(5).

2 Competent authorities shall carry out the appropriate risk-based controls to the goods mentioned in paragraph 1 of this Article verifying that:

- a they are not on the [^{F5}list of species of special concern]; or
- b they are covered by a valid permit as referred to in Article 8.

3 The controls referred to in paragraph 2 of this Article, consisting of documentary, identity and where necessary, physical checks, shall take place when goods referred to in paragraph 1 of this Article are brought into [^{F3}Great Britain]. [^{F6}In paragraphs 4 to 6 and 8, “the competent authority” means the authority responsible for carrying out the official controls mentioned in paragraph 2].

4 The handling in free zones or free warehouses and the placing of goods referred to in paragraph 1 under the customs procedures of release for free circulation, transit, customs warehousing, inward processing, processing under customs control and temporary admission shall be subject to the declaration to the customs authorities of:

- a the relevant entry document duly completed by the competent authorities ^{F7}... attesting that the conditions referred to in paragraph 2 of this Article are met, in cases where the controls have been carried out at border entities in accordance with Regulation (EC) No 882/2004 and [^{F8}retained EU law which transposed] Directives 91/496/EEC and 97/78/EC or at [^{F9}points of entry as defined in] point (j) of Article 2(1) of Directive 2000/29/EC. The customs procedure indicated therein shall be followed; or
- b where goods are not subject to official controls according to [^{F10}retained EU law], other documentary evidence that the controls have been carried out with satisfactory results and the subsequent entry document.

Those documents may also be submitted electronically.

5 If the controls establish non-compliance with this Regulation:

- a customs authorities shall suspend the placing under a customs procedure or detain the goods;
- b competent authorities ^{F11}... shall detain the goods.

Changes to legislation: There are currently no known outstanding effects for the Regulation (EU) No 1143/2014 of the European Parliament and of the Council, Article 15. (See end of Document for details)

Where goods are detained, they shall be entrusted to the competent authority in charge of applying this Regulation. That authority shall act in accordance with national legislation. [F12The Secretary of State] may delegate specific functions to other authorities.

6 Costs incurred while the verification is carried out and those arising from any non-compliance shall be at the expense of the natural or legal person within [F3Great Britain] who brought the goods into [F3Great Britain]^{F13}....

7 [F14The Secretary of States] shall put in place procedures to ensure the exchange of relevant information and the efficient and effective coordination and cooperation between all authorities involved for the verification referred to in paragraph 2.

8 Based on best practices, [F15the Secretary of State, together with the competent authority, must] develop guidelines and training programmes to facilitate the identification and detection of invasive alien species [F16of special concern] and the performance of efficient and effective controls.

9 Where permits have been issued in accordance with Article 8, reference to a valid permit covering the declared goods shall be made in the customs declaration or relevant notifications to the border entity.]

Textual Amendments

- F1** Art. 15 omitted (S.) (31.12.2020) by virtue of *The Invasive Non-native Species (EU Exit) (Scotland) (Amendment etc.) Regulations 2020* (S.S.I. 2020/473), regs. 1(1), **5(3)** (with reg. 1(2))
- F2** Words in Art. 15(1) substituted (31.12.2020) by *The Invasive Non-native Species (Amendment etc.) (EU Exit) Regulations 2019* (S.I. 2019/223), regs. 1(1)(b), **7(3)(a)** (with reg. 2(1)(a)) (as amended by S.I. 2020/1590, regs. 1(1)(b)(i), 6(2)); 2020 c. 1, Sch. 5 para. 1(1)
- F3** Words in Regulation substituted (31.12.2020) by *The Invasive Non-native Species (Amendment etc.) (EU Exit) Regulations 2019* (S.I. 2019/223), regs. 1(1)(b), **4(2)(a)** (with reg. 2(1)(a)) (as amended by S.I. 2020/1590, regs. 1(1)(b)(i), 6(2)(3)(a)); 2020 c. 1, Sch. 5 para. 1(1)
- F4** Words in Regulation substituted (31.12.2020) by *The Invasive Non-native Species (Amendment etc.) (EU Exit) Regulations 2019* (S.I. 2019/223), regs. 1(1)(b), **4(2)(e)** (with reg. 2(1)(a)) (as amended by S.I. 2020/1590, regs. 1(1)(b)(i), 6(2)); 2020 c. 1, Sch. 5 para. 1(1)
- F5** Words in Regulation substituted (31.12.2020) by *The Invasive Non-native Species (Amendment etc.) (EU Exit) Regulations 2019* (S.I. 2019/223), regs. 1(1)(b), **4(2)(d)** (with reg. 2(1)(a)) (as amended by S.I. 2020/1590, regs. 1(1)(b)(i), 6(2)); 2020 c. 1, Sch. 5 para. 1(1)
- F6** Words in Art. 15(3) substituted (31.12.2020) by *The Invasive Non-native Species (Amendment etc.) (EU Exit) Regulations 2019* (S.I. 2019/223), regs. 1(1)(b), **7(3)(b)** (with reg. 2(1)(a)) (as amended by S.I. 2020/1590, regs. 1(1)(b)(i), 6(2)); 2020 c. 1, Sch. 5 para. 1(1)
- F7** Words in Art. 15(4)(a) omitted (31.12.2020) by virtue of *The Invasive Non-native Species (Amendment etc.) (EU Exit) Regulations 2019* (S.I. 2019/223), regs. 1(1)(b), **7(3)(c)(i)** (with reg. 2(1)(a)) (as amended by S.I. 2020/1590, regs. 1(1)(b)(i), 6(2)(6)(b)); 2020 c. 1, Sch. 5 para. 1(1)
- F8** Words in Art. 15(4)(a) inserted (31.12.2020) by *The Invasive Non-native Species (Amendment etc.) (EU Exit) Regulations 2019* (S.I. 2019/223), regs. 1(1)(b), **7(3)(c)(ii)** (with reg. 2(1)(a)) (as amended by S.I. 2019/813, regs. 1, **2(3)(a)(i)** and S.I. 2020/1590, regs. 1(1)(b)(i), 6(2)); 2020 c. 1, **Sch. 5 para. 1(1)**
- F9** Words in Art. 15(4)(a) substituted (31.12.2020) by *The Invasive Non-native Species (Amendment etc.) (EU Exit) Regulations 2019* (S.I. 2019/223), regs. 1(1)(b), **7(3)(c)(iii)** (with reg. 2(1)(a)) (as amended by S.I. 2019/813, regs. 1, 2(3)(a)(i) and S.I. 2020/1590, regs. 1(1)(b)(i), 6(2)); 2020 c. 1, Sch. 5 para. 1(1)
- F10** Words in Regulation substituted (31.12.2020) by *The Invasive Non-native Species (Amendment etc.) (EU Exit) Regulations 2019* (S.I. 2019/223), regs. 1(1)(b), **4(2)(b)** (with reg. 2(1)(a)) (as amended by S.I. 2020/1590, regs. 1(1)(b)(i), 6(2)); 2020 c. 1, Sch. 5 para. 1(1)

Changes to legislation: There are currently no known outstanding effects for the Regulation (EU) No 1143/2014 of the European Parliament and of the Council, Article 15. (See end of Document for details)

- F11** Words in Art. 15(5)(b) omitted (31.12.2020) by virtue of *The Invasive Non-native Species (Amendment etc.) (EU Exit) Regulations 2019* (S.I. 2019/223), regs. 1(1)(b), **7(3)(d)(i)** (with reg. 2(1)(a)) (as amended by S.I. 2020/1590, regs. 1(1)(b)(i), 6(2)); 2020 c. 1, Sch. 5 para. 1(1)
- F12** Words in Art. 15(5) substituted (31.12.2020) by *The Invasive Non-native Species (Amendment etc.) (EU Exit) Regulations 2019* (S.I. 2019/223), regs. 1(1)(b), **7(3)(d)(ii)** (with reg. 2(1)(a)) (as amended by S.I. 2020/1590, regs. 1(1)(b)(i), 6(2)); 2020 c. 1, Sch. 5 para. 1(1)
- F13** Words in Art. 15(6) omitted (31.12.2020) by *The Invasive Non-native Species (Amendment etc.) (EU Exit) Regulations 2019* (S.I. 2019/223), regs. 1(1)(b), **7(3)(e)** (with reg. 2(1)(a)) (as amended by S.I. 2019/813, regs. 1, 2(3)(a)(ii) and S.I. 2020/1590, regs. 1(1)(b)(i), 6(2)); 2020 c. 1, Sch. 5 para. 1(1)
- F14** Words in Art. 15(7) substituted (31.12.2020) by *The Invasive Non-native Species (Amendment etc.) (EU Exit) Regulations 2019* (S.I. 2019/223), regs. 1(1)(b), **7(3)(f)** (with reg. 2(1)(a)) (as amended by S.I. 2020/1590, regs. 1(1)(b)(i), 6(2)); 2020 c. 1, Sch. 5 para. 1(1)
- F15** Words in Art. 15(8) substituted (31.12.2020) by *The Invasive Non-native Species (Amendment etc.) (EU Exit) Regulations 2019* (S.I. 2019/223), regs. 1(1)(b), **7(3)(g)** (with reg. 2(1)(a)) (as amended by S.I. 2020/1590, regs. 1(1)(b)(i), 6(2)); 2020 c. 1, Sch. 5 para. 1(1)
- F16** Words in Regulation substituted (31.12.2020) by *The Invasive Non-native Species (Amendment etc.) (EU Exit) Regulations 2019* (S.I. 2019/223), regs. 1(1)(b), **4(2)(e)** (with reg. 2(1)(a)) (as amended by S.I. 2020/1590, regs. 1(1)(b)(i), 6(2)); 2020 c. 1, Sch. 5 para. 1(1)

Changes to legislation:

There are currently no known outstanding effects for the Regulation (EU) No 1143/2014 of the European Parliament and of the Council, Article 15.