

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

Article 18

Derogations from the obligation of rapid eradication

1 ^{F1}The responsible authorities, acting jointly, may], based on robust scientific evidence, decide, within two months of the detection of an invasive alien species referred to in Article 16, not to apply eradication measures if at least one of the following conditions is met:

- a eradication is demonstrated to be technically unfeasible because the eradication methods available cannot be applied in the environment where the invasive alien species is established;
- b a cost-benefit analysis demonstrates on the basis of the available data with reasonable certainty that the costs will, in the long term, be exceptionally high and disproportionate to the benefits of eradication;
- c eradication methods are not available or are available but have very serious adverse impact on human health, the environment or other species.

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4 ^{F4}The appropriate authority] shall ensure that containment measures are in place to avoid further spread of the invasive alien species to other ^{F5}parts of Great Britain] when, pursuant to paragraph 1, no eradication measures are applied.

5 Where ^{F6}the responsible authorities decide not to make a decision referred to in] paragraph 1 of this Article, ^{F7}the appropriate authority] shall apply the eradication measures referred to in Article 17 without delay.

6 Where the ^{F8}responsible authorities make a decision referred to in] paragraph 1 of this Article, the invasive alien species shall be subject to the management measures referred to in Article 19.

Textual Amendments

- F1** Words in Art. 18(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(6)(a)(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); and Art. 18(1): By [The Invasive Non-native Species \(EU Exit\) \(Scotland\) \(Amendment etc.\) Regulations 2020 \(S.S.I. 2020/473\)](#), regs. 1(1), **5(6)(a)(i)** (with reg. 1(2)), it is provided that (S.) (31.12.2020) the words “The Scottish Ministers,

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 18. (See end of Document for details)

- after consulting the Secretary of State, the Welsh Ministers and the Department of Agriculture, Environment and Rural Affairs, may” are substituted for the words “A Member State may”
- F2** Words in Art. 18(1) 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\(6\)\(a\)\(ii\)](#) (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); and (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\(6\)\(a\)\(ii\)](#) (with reg. 1(2))
- F3** Art. 18(2)(3) 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\(6\)\(b\)](#) (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); and (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\(6\)\(b\)](#) (with reg. 1(2))
- F4** Words in Art. 18(4) 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\(6\)\(c\)\(i\)](#) (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); and Art. 18(4): By [The Invasive Non-native Species \(EU Exit\) \(Scotland\) \(Amendment etc.\) Regulations 2020 \(S.S.I. 2020/473\)](#), regs. 1(1), [5\(6\)\(c\)\(i\)](#) (with reg. 1(2)), it is provided that (S.) (31.12.2020) the words “The Scottish Ministers” are substituted for the words “Member States”
- F5** Words in Art. 18(4) 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\(6\)\(c\)\(ii\)](#) (as amended by [S.I. 2020/1590](#), regs. 1(1)(b)(i), 6(2)(6)(d)); 2020 c. 1, Sch. 5 para. 1(1); and (S. in so far as not already substituted) (31.12.2020) by [The Invasive Non-native Species \(EU Exit\) \(Scotland\) \(Amendment etc.\) Regulations 2020 \(S.S.I. 2020/473\)](#), regs. 1(1), [5\(6\)\(c\)\(ii\)](#) (with reg. 1(2))
- F6** Words in Art. 18(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\(6\)\(d\)\(i\)](#) (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); and Art. 18(5): By [The Invasive Non-native Species \(EU Exit\) \(Scotland\) \(Amendment etc.\) Regulations 2020 \(S.S.I. 2020/473\)](#), regs. 1(1), [5\(6\)\(d\)\(i\)](#) (with reg. 1(2)), it is provided that (S.) (31.12.2020) the words “Scottish Ministers decide not to make a decision referred to in” are substituted for the words “Commission rejects a decision notified in accordance with the second subparagraph of”
- F7** Words in Art. 18(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\(6\)\(d\)\(ii\)](#) (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); and Art. 18(5): By [The Invasive Non-native Species \(EU Exit\) \(Scotland\) \(Amendment etc.\) Regulations 2020 \(S.S.I. 2020/473\)](#), regs. 1(1), [5\(6\)\(d\)\(ii\)](#) (with reg. 1(2)), it is provided that (S.) (31.12.2020) the words “the Scottish Ministers” are substituted for the words “the Member State concerned”
- F8** Words in Art. 18(6) 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\(6\)\(e\)](#) (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); and Art. 18(6): By [The Invasive Non-native Species \(EU Exit\) \(Scotland\) \(Amendment etc.\) Regulations 2020 \(S.S.I. 2020/473\)](#), regs. 1(1), [5\(6\)\(e\)](#) (with reg. 1(2)), it is provided that (S.) (31.12.2020) the words “Scottish Ministers make a decision referred to in” are substituted for the words “Commission does not reject a decision notified in accordance with the second subparagraph of”

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 18.