

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 II

PREVENTION

Article 9

Authorisations

1 In exceptional cases, for reasons of compelling public interest, including those of a social or economic nature, [^{F1}the appropriate authority] may issue permits allowing establishments to carry out activities other than those set out in Article 8(1) ^{F2}..., in accordance with the procedure laid down in this Article and subject to the conditions set out in Article 8(2) and (3).

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[^{F4}3 Before issuing a permit under paragraph 1 of this Article, the appropriate authority must consult and have regard to the opinions of—

- a the Committee;
- b the Scientific Forum;
- c the other responsible authorities.]

4 An application for [^{F5}a permit under paragraph 1 of this Article] shall include the following:

- a details of the establishment or groups of establishments including their name and address;
- b the scientific and common names of the invasive alien species [^{F6}of special concern] for which [^{F7}an authorisation][^{F7}a permit] is requested;
- c the codes of Combined Nomenclature as provided by Regulation (EEC) No 2658/87;
- d the number or the volume of specimens concerned;
- e the reasons for the requested [^{F8}authorisation][^{F8}permit];
- f a detailed description of the envisaged measures to ensure that escape or spread are not possible from contained holding facilities in which the invasive alien species [^{F6}of special concern] is to be kept in and handled, as well as of the measures to ensure that any transport of the species that may be necessary is carried out under conditions that exclude escape;
- g an assessment of the risk of escape of the invasive alien species [^{F6}of special concern] for which [^{F7}an authorisation][^{F7}a permit] is requested, accompanied by a description of the risk mitigation measures to be put in place;
- h a description of the surveillance system planned and of the contingency plan drawn to cater for possible escape or spread, including an eradication plan where necessary;
- i a description of relevant ^{F9}... law applicable to those establishments.

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5 [F10Permits granted by the appropriate authority under paragraph 1 of this Article] shall be notified to the [F11other responsible authorities]. [F12A permit issued under paragraph 1] shall be specific to an individual establishment, irrespective of the application procedure followed in accordance with point (a) of paragraph 4, and shall include the information referred to in paragraph 4 and the duration of [F13the permit]. [F12A permit issued under paragraph 1] shall also include provisions regarding the supply to the establishment of additional or replacement specimens for use in the activity for which [F14that permit] is requested.

6 [F15The appropriate authority] may issue the permit referred to in paragraph 1 of this Article in accordance with Article 8(4) to (8).^{F16}...

7 [F17The appropriate authority] shall reject an application for [F18a permit under paragraph 1] if any relevant obligations set out in this Regulation are not complied with.

8 [F19The appropriate authority] shall, as soon as possible, inform the [F20other responsible authorities] of any rejection of an application pursuant to paragraph 7 and shall specify the reason for the rejection.

Textual Amendments

- F1** Words in Art. 9(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), **6(4)(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. 9(1): By [The Invasive Non-native Species \(EU Exit\) \(Scotland\) \(Amendment etc.\) Regulations 2020 \(S.S.I. 2020/473\)](#), regs. 1(1), **4(4)(a)(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”
- F2** Words in Art. 9(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), **6(4)(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), **4(4)(a)(ii)** (with reg. 1(2))
- F3** Art. 9(2) 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), **6(4)(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), **4(4)(b)** (with reg. 1(2))
- F4** Art. 9(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), **6(4)(c)** (with reg. 2(1)(a)) (as amended by S.I. 2020/1590, regs. 1(1)(b)(i), 6(2)(5)(a)); 2020 c. 1, Sch. 5 para. 1(1); and Art. 9(3): By [The Invasive Non-native Species \(EU Exit\) \(Scotland\) \(Amendment etc.\) Regulations 2020 \(S.S.I. 2020/473\)](#), regs. 1(1), **4(4)(c)** (with reg. 1(2)), it is provided that (S.) (31.12.2020) “3. Before issuing a permit under paragraph 1 of this Article, the Scottish Ministers must consult and have regard to the opinions of— (a) the Committee, (b) the Scientific Forum, (c) the Secretary of State, the Welsh Ministers and the Department of Agriculture, Environment and Rural Affairs.” is substituted for Art. 9(3)
- F5** Words in Art. 9(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), **6(4)(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. 9(4): By [The Invasive Non-native Species \(EU Exit\) \(Scotland\) \(Amendment etc.\) Regulations 2020 \(S.S.I. 2020/473\)](#), regs. 1(1), **4(4)(d)(i)** (with reg. 1(2)), it is provided that (S.) (31.12.2020) the words “a permit” are substituted for the words “an authorisation”
- F6** 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); and (S.) (31.12.2020) by

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- The Invasive Non-native Species (EU Exit) (Scotland) (Amendment etc.) Regulations 2020 (S.S.I. 2020/473), regs. 1(1), **2(2)(e)** (with reg. 1(2))
- F7** Words in Art. 9(4) substituted (S.) (31.12.2020) by The Invasive Non-native Species (EU Exit) (Scotland) (Amendment etc.) Regulations 2020 (S.S.I. 2020/473), regs. 1(1), **4(4)(d)(i)** (with reg. 1(2))
- F8** Word in Art. 9(4)(e) substituted (S.) (31.12.2020) by The Invasive Non-native Species (EU Exit) (Scotland) (Amendment etc.) Regulations 2020 (S.S.I. 2020/473), regs. 1(1), **4(4)(d)(ii)** (with reg. 1(2))
- F9** Word in Art. 9(4)(i) 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), **6(4)(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); (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), **4(4)(d)(iii)** (with reg. 1(2))
- F10** Words in Art. 9(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), **6(4)(e)(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. 9(5): By The Invasive Non-native Species (EU Exit) (Scotland) (Amendment etc.) Regulations 2020 (S.S.I. 2020/473), regs. 1(1), **4(4)(e)(i)** (with reg. 1(2)), it is provided that (S.) (31.12.2020) the words “Permits granted by the Scottish Ministers under paragraph 1” are substituted for the words “Authorisations granted by the Commission”
- F11** Words in Art. 9(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), **6(4)(e)(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. 9(5): By The Invasive Non-native Species (EU Exit) (Scotland) (Amendment etc.) Regulations 2020 (S.S.I. 2020/473), regs. 1(1), **4(4)(e)(ii)** (with reg. 1(2)), it is provided that (S.) (31.12.2020) the words “Secretary of State, the Welsh Ministers and the Department of Agriculture, Environment and Rural Affairs” are substituted for the words “competent authority of the Member State concerned”
- F12** Words in Art. 9(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), **6(4)(e)(iii)** (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 The Invasive Non-native Species (EU Exit) (Scotland) (Amendment etc.) Regulations 2020 (S.S.I. 2020/473), regs. 1(1), **4(4)(e)(iii)** (with reg. 1(2))
- F13** Words in Art. 9(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), **6(4)(e)(iv)** (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 The Invasive Non-native Species (EU Exit) (Scotland) (Amendment etc.) Regulations 2020 (S.S.I. 2020/473), regs. 1(1), **4(4)(e)(iv)** (with reg. 1(2))
- F14** Words in Art. 9(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), **6(4)(e)(v)** (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 The Invasive Non-native Species (EU Exit) (Scotland) (Amendment etc.) Regulations 2020 (S.S.I. 2020/473), regs. 1(1), **4(4)(e)(v)** (with reg. 1(2))
- F15** Words in Art. 9(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), **6(4)(f)(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. 9(6): By The Invasive Non-native Species (EU Exit) (Scotland) (Amendment etc.) Regulations 2020 (S.S.I. 2020/473), regs. 1(1), **4(4)(f)(i)** (with reg. 1(2)), it is provided that (S.) (31.12.2020) the words “The Scottish Ministers” are substituted for the words “Following an authorisation by the Commission, the competent authority”
- F16** Words in Art. 9(6) 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), **6(4)(f)(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), **4(4)(f)(ii)** (with reg. 1(2))

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- F17** Words in Art. 9(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), **6(4)(g)(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. 9(7): By [The Invasive Non-native Species \(EU Exit\) \(Scotland\) \(Amendment etc.\) Regulations 2020 \(S.S.I. 2020/473\)](#), regs. 1(1), **4(4)(g)(i)** (with reg. 1(2)), it is provided that (S.) (31.12.2020) the words “The Scottish Ministers” are substituted for the words “The Commission”
- F18** Words in Art. 9(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), **6(4)(g)(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 [The Invasive Non-native Species \(EU Exit\) \(Scotland\) \(Amendment etc.\) Regulations 2020 \(S.S.I. 2020/473\)](#), regs. 1(1), **4(4)(g)(ii)** (with reg. 1(2))
- F19** Words in Art. 9(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), **6(4)(h)(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. 9(8): By [The Invasive Non-native Species \(EU Exit\) \(Scotland\) \(Amendment etc.\) Regulations 2020 \(S.S.I. 2020/473\)](#), regs. 1(1), **4(4)(h)(i)** (with reg. 1(2)), it is provided that (S.) (31.12.2020) the words “The Scottish Ministers” are substituted for the words “The Commission”
- F20** Words in Art. 9(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), **6(4)(h)(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. 9(8): By [The Invasive Non-native Species \(EU Exit\) \(Scotland\) \(Amendment etc.\) Regulations 2020 \(S.S.I. 2020/473\)](#), regs. 1(1), **4(4)(h)(ii)** (with reg. 1(2)), it is provided that (S.) (31.12.2020) the words “applicant, the Secretary of State, the Welsh Ministers and the Department of Agriculture, Environment and Rural Affairs” are substituted for the words “Member State concerned”

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