
STATUTORY RULES OF NORTHERN IRELAND

2019 No. 159

The Invasive Alien Species (Enforcement and Permitting) Order (Northern Ireland) 2019

PART 5

ENFORCEMENT

Supplementary power in relation to the owner of premises

23.—(1) Where the Department is satisfied that the grounds in paragraphs (2), (3) or (4) are met, it may serve an enforcement notice on the owner of any premises under Article 22(1).

(2) The grounds in this paragraph are that it appears to the Department that an invasive alien species is present on the premises contrary to Article 17 (rapid eradication at an early stage of invasion) of the Principal Regulation and—

- (a) there is no occupier of the premises; or
- (b) the occupier cannot be found without the Department incurring unreasonable expense.

(3) The grounds in this paragraph are that—

- (a) the Department has served an enforcement notice under Article 22(1);
- (b) the occupier of the premises is not the same person as the owner of the premises; and
- (c) the occupier has failed to comply with the enforcement notice.

(4) The grounds in this paragraph are that—

- (a) the Department has served an enforcement notice under Article 22(1);
- (b) the occupier of the premises is not the same person as the owner of the premises; and
- (c) the occupier having appealed against the notice under Article 25 (appeals), the final decision of the magistrates' court pursuant to Article 25(4) was to quash, in whole or in part, the enforcement notice.

(5) Article 22(2) to (6) applies in relation to enforcement notices served pursuant to this Article on the owner of the premises as it applies to enforcement notices served under Article 22(1) on the occupier of the premises.

Commencement Information

II [Art. 23](#) in operation at 1.12.2019, see [art. 1\(1\)](#)

Changes to legislation:

There are currently no known outstanding effects for the The Invasive Alien Species (Enforcement and Permitting) Order (Northern Ireland) 2019, Section 23.