



Wildlife and Countryside Act 1981

1981 CHAPTER 69

PART I

WILDLIFE

Miscellaneous

14 Introduction of new species etc. **E+W**

- ^{F1}(1) Subject to the provisions of this Part, if any person releases or allows to escape into the wild any animal which—
- (a) is of a kind which is not ordinarily resident in and is not a regular visitor to Great Britain in a wild state; or
 - (b) is included in Part I of Schedule 9,
- he shall be guilty of an offence.
- ^{F1}(2) Subject to the provisions of this Part, if any person plants or otherwise causes to grow in the wild any plant which is included in Part II of Schedule 9, he shall be guilty of an offence.
- (3) Subject to subsection (4), it shall be a defence to a charge of committing an offence under subsection (1) or (2) to prove that the accused took all reasonable steps and exercised all due diligence to avoid committing the offence.
- (4) Where the defence provided by subsection (3) involves an allegation that the commission of the offence was due to the act or default of another person, the person charged shall not, without leave of the court, be entitled to rely on the defence unless, within a period ending seven clear days before the hearing, he has served on the prosecutor a notice giving such information identifying or assisting in the identification of the other person as was then in his possession.
- (5) ^{F2}.....
- (6) ^{F2}.....

Status: Point in time view as at 02/07/2012. There are multiple versions of this provision on screen.

These apply to different geographical extents. This version of this provision has been superseded.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Wildlife and Countryside Act 1981. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

Extent Information

- E1** This version of this provision extends to England and Wales only; a separate version has been created for Scotland only

Textual Amendments

- F1** S. 14(1)-(2D) substituted for s. 14(1)(2) (S.) (1.5.2012 for specified purposes, 2.7.2012 in so far as not already in force) by [Wildlife and Natural Environment \(Scotland\) Act 2011 \(asp 6\)](#), **ss. 14(2)(a)**, 43(1) (with s. 41(1)); S.S.I. 2012/116, art. 2(a)(i); S.S.I. 2012/175, art. 2(1)(a) (with art. 3(3))
- F2** S. 14(5)(6) repealed (E.W.) (30.1.2001) by [2000 c. 37](#), ss. 102, 103(2), **Sch. 16 Pt. IV**

Modifications etc. (not altering text)

- C1** S. 14 excluded (E.W.) (21.8.2007) by [S.I. 1994/2716](#), **reg. 37C(9)** (as inserted by [The Conservation \(Natural Habitats, &c.\) \(Amendment\) Regulations 2007 \(S.I. 2007/1843\)](#) {reg. 5(12)}
C2 S. 14 excluded (E.W.) (1.4.2010) by [The Conservation of Habitats and Species Regulations 2010 \(S.I. 2010/490\)](#), regs. 1(2), **52(8)**

14 Introduction of new species etc. **S**

- [^{F1}(1) Subject to the provisions of this Part, any person who—
- (a) releases, or allows to escape from captivity, any animal—
 - (i) to a place outwith its native range; or
 - (ii) of a type the Scottish Ministers, by order, specify; or
 - (b) otherwise causes any animal outwith the control of any person to be at a place outwith its native range,
- is guilty of an offence.
- (2) Subject to the provisions of this Part, any person who plants, or otherwise causes to grow, any plant in the wild at a place outwith its native range is guilty of an offence.
- (2A) Subsection (1) does not apply to the following animals where those animals are released or allowed to escape from captivity for the purpose of being subsequently killed by shooting—
- (a) common pheasant;
 - (b) red-legged partridge.
- (2B) The Scottish Ministers may, by order, specify—
- (a) other types of animals to which subsection (1)(a)(i) or (1)(b) does not apply; and
 - (b) types of plants to which subsection (2) does not apply.
- (2C) The Scottish Ministers may, by order, disapply subsection (1) or (2) in relation to—
- (a) any person specified in the order;
 - (b) any conduct undertaken for the purposes of any enactment (including any enactment contained in or made under an Act of the Scottish Parliament) so specified; or
 - (c) any conduct authorised by, under or in pursuance of any such enactment.
- (2D) An order under subsection (1)(a)(ii), (2B) or (2C) may make different provision for different cases and, in particular, for—
- (a) different types of animal or plant;

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- (b) different circumstances or purposes;
 - (c) different persons;
 - (d) different times of the year; and
 - (e) different areas or places.]
- (3) Subject to subsection (4), it shall be a defence to a charge of committing an offence under subsection (1) or (2) to [^{F3}show] that the accused took all reasonable steps and exercised all due diligence to avoid committing the offence.
- (4) Where the defence provided by subsection (3) involves an allegation that the commission of the offence was due to the act or default of another person, the person charged shall not, without leave of the court, be entitled to rely on the defence unless, within a period ending seven clear days before the hearing, he has served on the prosecutor a notice giving such information identifying or assisting in the identification of the other person as was then in his possession.

^{F4}(5)

^{F4}(6)

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Textual Amendments

- F1** S. 14(1)-(2D) substituted for s. 14(1)(2) (S.) (1.5.2012 for specified purposes, 2.7.2012 in so far as not already in force) by [Wildlife and Natural Environment \(Scotland\) Act 2011 \(asp 6\)](#), **ss. 14(2)(a)**, 43(1) (with s. 41(1)); S.S.I. 2012/116, art. 2(a)(i); S.S.I. 2012/175, art. 2(1)(a) (with art. 3(3))
- F3** Word in s. 14(3) substituted (S.) (2.7.2012) by [Wildlife and Natural Environment \(Scotland\) Act 2011 \(asp 6\)](#), **ss. 14(2)(b)**, 43(1) (with s. 41(1)); S.S.I. 2012/175, art. 2(a)
- F4** S. 14(5)(6) repealed (S.) (2.7.2012) by [Wildlife and Natural Environment \(Scotland\) Act 2011 \(asp 6\)](#), **ss. 14(2)(c)**, 43(1) (with s. 41(1)); S.S.I. 2012/175, art. 2(a)

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