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## STATUTORY INSTRUMENTS

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# 2019 No. 1220

## The Animal Health, Invasive Alien Species, Plant Breeders' Rights and Seeds (Amendment etc.) (EU Exit) Regulations 2019

### PART 2

#### Amendment of the Invasive Alien Species (Enforcement and Permitting) Order 2019

#### The Invasive Alien Species (Enforcement and Permitting) Order 2019

2. In the Invasive Alien Species (Enforcement and Permitting) Order 2019 <sup>M1</sup>, in article 20, for paragraph (1) substitute—

“(1) A person guilty of an offence under this Order is liable—

(a) on summary conviction—

(i) in England and Wales, to imprisonment for a term not exceeding six months or to a fine, or to both;

(ii) in Scotland and Northern Ireland, to imprisonment for a term not exceeding three months or to a fine which may not exceed the statutory maximum, or to both;

(b) on conviction on indictment, to imprisonment for a term not exceeding two years or to a fine, or to both.

(1A) In relation to any conviction obtained before the coming into force of paragraph 3 of Schedule 27 to the Criminal Justice Act 2003 <sup>M2</sup>, paragraph (1)(a)(i) has effect with the substitution for “six months” of “three months”.”

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#### Commencement Information

**II** Reg. 2 in force at 26.9.2019, see reg. 1(2)(a)

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#### Marginal Citations

**M1** [S.I. 2019/527](#).

**M2** [1972 c. 68](#); section 2(2) was amended by section 27(1)(a) of the [Legislative and Regulatory Reform Act 2006 \(c. 51\)](#) and Part 1 of the Schedule to the [European Union \(Amendment\) Act 2008 \(c. 7\)](#). It is prospectively repealed by section 1 of the [European Union \(Withdrawal\) Act 2018 \(c. 16\)](#) from exit day (see [section 20](#) of that Act). The function of the former Minister of Agriculture, Fisheries and Food of making regulations under section 2(2) was transferred to the Secretary of State by [S.I. 2002/794](#).

**Changes to legislation:**

There are currently no known outstanding effects for the The Animal Health, Invasive Alien Species, Plant Breeders' Rights and Seeds (Amendment etc.) (EU Exit) Regulations 2019, Section 2.