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STATUTORY INSTRUMENTS

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**2019 No. 527**

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

**PART 9**

Amendments, revocations and effect in relation to other enactments

**The Keeping and Introduction of Fish (England and River Esk Catchment Area)  
Regulations 2015**

**40.**—(1) A person may not by reason of the same act be convicted of both—

- (a) an offence under this Order; and
- (b) an offence under the Keeping and Introduction of Fish (England and River Esk Catchment Area) Regulations 2015<sup>M1</sup>.

(2) In so far as any act authorised by a permit or a licence under this Order would otherwise be an offence under regulation 4 or 5 of the Keeping and Introduction of Fish (England and River Esk Catchment Area) Regulations 2015 (introduction and keeping of fish) unless authorised by a 2015 Regulations permit, the permit or licence has effect for the purposes of those Regulations as such a permit, authorising that act to the extent authorised by the permit or licence and (so far as relevant to the offence in question) subject to the conditions to which it is subject, including (in the case of a permit) the conditions specified in paragraphs 2 and 3 of Article 8 of the Principal Regulation (permits) and set out in Table 2 of Schedule 1.

(3) In so far as any act authorised by a 2015 Regulations permit would otherwise be an offence under this Order unless authorised by a permit issued under article 35(1)(a) or (b), and could have been authorised by such a permit, the 2015 Regulations permit has effect for the purposes of this Order as such a permit, authorising that act to the extent authorised by the 2015 Regulations permit, and (so far as relevant to the offence in question) subject to the conditions to which the 2015 Regulations permit is subject and the conditions specified in paragraphs 2 and 3 of Article 8 of the Principal Regulation (permits) and set out in Table 2 of Schedule 1.

(4) In so far as any act authorised by a 2015 Regulations permit would otherwise be an offence under this Order unless authorised by a licence, and could have been authorised by such a licence, the 2015 Regulations permit has effect for the purposes of this Order as such a licence, authorising that act to the extent authorised by the 2015 Regulations permit, and (so far as relevant to the offence in question) subject to the conditions to which the 2015 Regulations permit is subject.

(5) In this article, “2015 Regulations permit” means a permit granted under regulation 6 of the Keeping and Introduction of Fish (England and River Esk Catchment Area) Regulations 2015 (grant of permit).

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**Commencement Information**

**II** Art. 40 in force at 1.12.2019, see [art. 1\(1\)](#)

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**Changes to legislation:** *There are currently no known outstanding effects for the The Invasive Alien Species (Enforcement and Permitting) Order 2019, Section 40. (See end of Document for details)*

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**Marginal Citations**

**M1** [S.I. 2015/10](#); amended by [S.I. 2017/1012](#).

**Changes to legislation:**

There are currently no known outstanding effects for the The Invasive Alien Species (Enforcement and Permitting) Order 2019, Section 40.