



# Invasive Non-Native Species (INNS): Marine Related Legislation

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Whilst biosecurity planning is not a statutory requirement, most relevant legislation calls for marine users to demonstrate that they follow 'best practice'. By creating, and adhering to a biosecurity plan you are proving that you are doing this and in the same way as Healthy and Safety, you are lowering risk and creating an audit trail of your actions.

A detailed description of the various international, EU and UK policies and legislation relevant to INNS is given in the Marine Biosecurity Guidelines for England and Wales

[www.nonnativespecies.org/downloadDocument.cfm?id=1401](http://www.nonnativespecies.org/downloadDocument.cfm?id=1401)

and in the legislation section of the GB NNSS website

<http://www.nonnativespecies.org/index.cfm?sectionid=12>

The most significant of these are:

- The [Wildlife and Countryside Act 1981](#) (WCA) is the principal legislation dealing with INNS in England. The WCA has been amended by various pieces of legislation, including the Wildlife and Countryside Act 1981 (Variation of Schedule 9) (England and Wales) Order 2010, the Natural Environment and Rural Communities Act 2006 and the Countryside and Rights of Way Act 2000. The WCA makes it illegal to release or allow to escape into the wild any animal which is not ordinarily resident in GB and is not a regular visitor to GB in a wild state, or is listed in [Schedule 9](#) to the Act. It is also illegal to plant or otherwise cause to grow in the wild any plant listed in Schedule 9 to the Act.
- The [European Strategy for Invasive Alien Species](#). Obligations by member states are set out in the EC Birds Directive, the EC Habitats Directive and the Water Framework Directive.
- The [EU Invasive Alien Species regulation](#) (2015) requires that [pathway action plans](#) be put in place to control the introduction and spread of [listed species](#).

- The [European Water Framework Directive \(WFD\)](#) which states that the ecological status of water bodies can be reduced if INNS have damaged the native aquatic plant and animal communities.

### **Marine Specific Legislation**

- The 2004 International Convention for the Control and Management of Ships' Ballast Water and Sediment which aims to address the issue of transport of INNS in ballast water; this came into force in September 2017, although the Convention will be phased in gradually to allow industry to react.
- The European Marine Strategy Framework Directive (MSFD), this requires Member States to work towards 'good environmental status' (GES) of their marine waters by 2020. The characteristic of GES for INNS is that 'non-indigenous species introduced by human activities are at levels that do not adversely alter the ecosystems'. Biosecurity planning would help to deliver two of the three targets for achieving GES which are:
  - Reduction in the risk of introduction and spread of INNS through improved management of high risk pathways and vectors.
  - Species specific management plans for high risk invasive INNS identified as already present or likely to be introduced into the UK to be in place by 2020.
- The EU Invasive Alien Species regulation (2015) requires that pathway action plans be put in place to control the introduction and spread of [listed species](#) (currently the only marine species listed is the Chinese Mitten Crab). For marine species these action plans may include future requirements for biosecurity plans.