



Ymddiriedolaeth Natur  
Gogledd Cymru  
**North Wales**  
Wildlife Trust



# LEGISLATION AND INVASIVE SPECIES



**Some plants that are invasive  
are listed in legislation.**

Here we introduce two pieces of legislation that  
gardeners should be aware of;

**The Wildlife and Countryside Act (1981)**  
and **The Retained EU Regulation 1143/2014.**



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# WHAT GARDENERS NEED TO KNOW

## Wildlife and Countryside Act

The main UK law that protects wildlife and the environment. It makes it illegal to plant or cause an invasive (non-native) species to grow in the wild. These are listed on [Schedule 9](#).

## Retained EU Regulation (1143/2014)

Bans certain invasive species (called [Species of Special Concern](#)) from being imported, sold, kept, or grown. It prioritises prevention of invasive species.

## Main implication for domestic gardeners

You must not plant or cause any species listed in Schedule 9 to grow in the wild. This includes dumping garden waste or soil containing these plants.

You must not import, keep, grow, sell, give away, or release any listed species (or any part that can re-grow, such as seeds or cuttings). Species of Special Concern are banned from sale.

## Listed invasive species in your garden

You aren't breaking the law just by having a listed species on your land - but you must take all reasonable steps to stop it spreading beyond your boundary.

Authorities can require you to remove them under a Species Control Order.

If a Species of Special Concern is already growing in your garden, this is not considered to be intentionally kept or cultivated and you're not committing an offence.

However, you cannot intentionally plant a Species of Special Concern on your land, or intentionally cause existing plants to spread.

## Buying or selling

Some Schedule 9 plants (mostly aquatic species) are banned from sale in England, but others can still be sold. Always check before buying.

All [Species of Special Concern](#) are banned from sale anywhere in the UK.

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### Moving or disposing

You can only move or transport listed plants if it's for safe disposal or you hold a license. In Wales, this is done via [Natural Resources Wales](#).

The same applies – movement or disposal is only allowed under license for destruction or research.

### Examples of listed invasive species

- |  |   |
|--|---|
| • <b>Japanese knotweed</b><br>( <i>Reynoutria japonica</i> )       | • <b>Parrot's feather</b><br>( <i>Myriophyllum aquaticum</i> )      |
| • <b>Australian swamp-stonecrop</b><br>( <i>Crassula helmsii</i> ) | • <b>Floating pennywort</b><br>( <i>Hydrocotyle ranunculoides</i> ) |
| • <b>Rhododendron</b><br>( <i>Rhododendron ponticum</i> )          | • <b>Tree of heaven</b><br>( <i>Ailanthus altissima</i> )           |
| • <b>Wall cotoneaster</b><br>( <i>Cotoneaster horizontalis</i> )   | • <b>Yellow skunk cabbage</b><br>( <i>Lysichiton americanus</i> )   |

• **Himalayan balsam** (*Impatiens glandulifera*) – covered by both.

### Where it Applies

England, Wales, Scotland, and Northern Ireland (with variations e.g. species list).

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### Penalties

Breaking the law can lead to fines or prosecution. Serious cases can result in imprisonment.

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## What does this mean for gardeners?

Not all invasive species are covered by legislation.  
It is therefore important to **Be Plant Wise**.



**For inspiration on alternative plants that are not invasive take a look at these booklets:**

**How to garden without harmful invasive plants** and **keeping a pond without harmful invasive plants.**

**Read more about legislation around invasive species [here](#).**