

Regulation relevant to alien species - Germany (DE)

In Germany, the pieces of legislation referring to IAS are biodiversity or species protection texts (Nature Protection Law and Species Protection Act) that take several measures against the threat of IS. Four species of IAS are specifically targeted in Species Protection Act: *Castor canadensis*, *Chelydra serpentina*, *Macroclermys temminckii*, *Sciurus carolinensis*. Germany collaborated with Austria to develop GABLIS (German-Austrian black list information system), which was used to list invasive alien species. GABLIS is however not legally-binding

Name of Act (area)	Nature Protection Law
Number of act	
Special section(s) relevant to IAS	§5, 40, 44 and 54
Content of regulations - mode of operation.	<p>§5 - For forestry, a sufficient part of native species must be conserved; for fishing purposes, non native species should not be used for stocking.</p> <p>§5 - Mandatory surveillance of landscapes, biotopes and species in general, especially by the Ministry in charge of nature.</p> <p>§40 - Species for which it is established that they are invasive should be surveyed.</p> <p>§40 - An authorisation is needed to release non native plants and to release animals into the wild. Plants that were artificially propagated whose genetic source is in the area are not considered non native. The authorisation should be refused if a risk to ecosystems, biotopes or species of MS cannot be outruled. Authorisations are not needed for plants planted for agricultural or forestry purposes; for animals, used for biological control of plant diseases, that are not non native or that are non native if it was authorised for plant health purposes and the authorisation took into account species protection; for animals that are not non native and fall under hunt or fisheries legislation; for production of wood and seeds out of their presence range until the 1st March 2020 included, until then wood and seeds should preferably be produced only in their presence</p>

	<p>range.</p> <p>The national and “Länder” authorities are required to take measures to eradicate or control the spreading of newly arrived invasive species. For invasive species that are already spread, control measures to hinder further spread and to mitigate the effects of further spread, if those measures can be expected to be successful and if the success can be reached with efforts that are not out of line compared to the benefits. These do not apply for plants used for agriculture or forestry.</p> <p>The authorities can order that unintentionally introduced animals and plants should be eradicated, if it is needed to lift a risk to ecosystems, biotopes or species.</p> <p>§44 - Holding and trade bans can apply to animals and plants according to §54.</p> <p>§54 - The Ministry for Nature protection can decide on invasive species that cannot be placed on the market, if it is needed to counter a risk to ecosystems, biotopes or species [see Species Protection Act above]. The Ministry for Nature protection can decide on invasive species that cannot be held, if it is needed to counter a risk to ecosystems, biotopes or species.</p>
Link to national version (natl language) or a file (word or pdf)	
If available in English – link to UK version:	
Name of Act (area)	Plant Protection Law
Number of act	
Special section(s) relevant to IAS	
	§2 - A good practices must be used for plant protection, including preventing arrival of pests;

	<p>control and eradication of pests.</p> <p>§3 - In case of pest presence or suspicion of presence, the Ministry can order measures to be taken; it can also force authorised persons and proprietaries to eradicate pests, and can decide which products or means can or cannot be used. The Ministry can force authorised persons or proprietaries to monitor whether pests are present or to let their premises be checked; authorities are required to monitor pests. Import, putting on the market or use of animals, plants or microorganisms against pests can be regulated.</p> <p>Putting pests on the market may be forbidden or controlled by the Minister, or a license may be required; as can be holding or reproducing of pests. The same applies for animals, plants and microorganisms used against pests.</p> <p>§4 - Measures against pests must be taken (see EC regulations).</p> <p>§5 - Rapid responses against pests are foreseen.</p> <p>§6 - Use of plant protection should not harm wildlife (animals and plants). The authorities can take measures in particular to protect native species.</p>
Link to national version (natl language) or a file (word or pdf)	
If available in English – link to UK version:	
Name of Act (area)	Animal Disease Law
Number of act	
Special section(s) relevant to IAS	
Content of regulations - mode of operation.	Customs monitor the import and export of live or dead animals, animal parts, products, materials

	and waste and any material from which a disease can be transmitted. Animal diseases or suspicions of animal diseases must be declared.
Link to national version (natl language) or a file (word or pdf)	
If available in English – link to UK version:	
Name of Act (area)	Hunting Law
Number of act	
Special section(s) relevant to IAS	
Content of regulations - mode of operation.	<p>§28 - Abandonment or introduction of alien animals into the wild is only authorised with written authorization from the authorities [no definition of alien animal in that piece of legislation].</p> <p>§29 - The costs from damage to ecosystems by hoofed game, wild hare or pheasant must be compensated by hunting associations. [This may apply to IAS for hunted species].</p> <p>§36 - Measures can be taken to control the circulation of wild animals for animal health reasons [applies to wild hunted animals].</p>
Link to national version (natl language) or a file (word or pdf)	
If available in English – link to UK version:	
Name of Act (area)	Animal Protection Law
Number of act	
Special section(s) relevant to IAS	

Content of regulations - mode of operation.	<p>§3 - It is forbidden to abandon animals that were held under human responsibility.</p> <p>§11 - An authorisation to hold vertebrates is required and can include restrictions.</p>
Link to national version (natl language) or a file (word or pdf)	
If available in English – link to UK version:	
Name of Act (area)	Species Protection Act
Number of act	
Special section(s) relevant to IAS	
Content of regulations - mode of operation.	<p>§3 - Lists four species that are not allowed to be held, traded, bred, conserved or given to someone: American beaver <i>Castor canadensis</i>, common snapping turtle <i>Chelydra serpentina</i>, Alligator Snapping Turtle <i>Macrolemys temminckii</i>, Eastern gray squirrel <i>Sciurus carolinensis</i></p> <p>§7 - Some vertebrate species, for species that are listed under §3, can be held under conditions that their holding is not forbidden, the holder has an authorisation and sufficient knowledge of the breeding and care of the species, and provides enough evidence that care is taken that the species will not escape and animal welfare regulations are respected. In that case a declaration must be made to the authorities. This does not apply to animals listed under Annex 5.</p>
Link to national version (natl language) or a file (word or pdf)	
If available in English – link to UK version:	
Name of Act (area)	Fish Disease Act
Number of act	

Special section(s) relevant to IAS	
Content of regulations - mode of operation.	<p>Listed diseases must be declared</p> <p>§3 - An authorisation is needed to hold aquaculture fishes</p> <p>§14 -Released fishes must be in good sanitary health are and do not come from establishments where unexplained deaths occurred</p> <p>§18 - Water used to transport fishes can only be changed if it does not harm the health of tranported fishes, and fishes at destination</p>
Link to national version (natl language) or a file (word or pdf)	
If available in English – link to UK version:	
Name of Act (area)	Animal Disease Act
Number of act	
Special section(s) relevant to IAS	
Content of regulations - mode of operation.	A list of diseases with obligatory transmission of information.
Link to national version (natl language) or a file (word or pdf)	
If available in English – link to UK version:	