



# Regulations relating to alien organisms

Regulation | Date: 19/06/2015 | [Ministry of Climate and Environment](#)

(<http://www.regjeringen.no/en/dep/kld/id668/>)

Adopted by Royal Decree of 19 June 2015 under sections 2, 28, 29, 30, 31, 32 and 66 of the Act of 19 June 2009 No. 100 relating to the management of biological, geological and landscape diversity (the Nature Diversity Act), section 7 of the Act of 29 May 1981 No. 38 relating to wildlife and wildlife habitats (the Wildlife Act) and section 2 of the Act of 27 February 1930 relating to Jan Mayen. Submitted by the Ministry of Climate and Environment.

*The translation is not official; it is provided for information purposes only. In the event of any inconsistency, the Norwegian version shall prevail.*

*This translation is based on the norwegian version of 19. june 2015. Later amendments are not translated.*

[Appendices to the regulations](#)

## Chapter I. Purpose, scope and definitions

### Section 1. *Purpose*

The purpose of these regulations is to prevent the import, release and spread of alien organisms that have or may have adverse impacts on biological or landscape diversity.

### Section 2. *Geographical scope*

These regulations apply to Norwegian land territory, including river systems, Norwegian territorial waters and Jan Mayen. The regulations do not apply to Svalbard.

### **Section 3. Substantive scope**

(1) These regulations govern the import of organisms, the placing on the market and release of alien organisms, and the unintentional spread of alien organisms.

(2) The regulations do not apply to:

- a. any releases governed by the Regulations of 25 May 2012 No. 460 relating to the planting or sowing of foreign tree species for forestry purposes;
- b. any release of Norwegian tree species, see section 31 of the Nature Diversity Act;
- c. ballast water management governed by the Regulations of 7 July 2009 No. 992 relating to prevention of the spread of alien organisms via ships' ballast water and sediments;
- d. any keeping of wildlife in captivity or release of wildlife into enclosed areas governed by section 7 of the Wildlife Act, except for keeping as defined in section 13;
- e. the return to the sea of wild living marine resources that are exempted from the duty to land catches by regulations adopted under section 15 of the Marine Resources Act;
- f. the import of wild living marine resources in connection with the landing of catches for which landing and sales notes are required under section 39 of the Marine Resources Act;
- g. any production and use of genetically modified organisms regulated by the Gene Technology Act;
- h. the import of sheep (*Ovis aries*), goats (*Capra hircus*), cattle (*Bos primigenius taurus*), zebu (*Bos primigenius indicus*), dogs (*Canis lupus familiaris*), donkeys (*Equus asinus*), horses (*Equus caballus*), mules, hinnies, domestic cats (*Felis catus*), pigs (*Sus domesticus*), domestic chickens (*Gallus gallus domesticus*), turkeys (*Meleagris gallopavo*), ostriches (*Struthio camelus*), mallard (*Anas platyrhynchos*), Muscovy ducks (*Cairina moschata*), greylag geese (*Anser anser*),

swan geese (*Anser cygnoides*), domestic pigeons (*Columba livia domestica*) and African collared doves (*Streptopelia roseogrisea*). Only the general requirements to exercise due care set out in sections 18 and 19 apply to releases of these species. For those species that exist in both wild and domesticated forms, the constraints on the scope of the regulations apply only to the domesticated forms. The constraints on the scope of the regulations do not apply to dogs, domestic cats and pigs that have been crossed with wild species.

- i. the import and release of domesticated reindeer (*Rangifer tarandus tarandus*), if carried out in accordance with the provisions of the Reindeer Husbandry Act and the general requirements to exercise due care set out in sections 18 and 19.
- j. the import and placing on the market to- and the release of plants in botanical gardens, if carried out in accordance with the general requirements to exercise due care set out in sections 18 and 19, and the duty to maintain an internal control system in section 26.

(3) Assessments under these regulations shall not include considerations relating to plant, animal and human life and health that are safeguarded by the Communicable Diseases Control Act) and the Food Act.

(4) The requirement of a permit under this Act does not exempt the applicant from the requirement of an import or release permit under other legislation.

#### **Section 4. Definitions**

For the purposes of these regulations, the following definitions apply:

- a. population: a group of individuals of the same species living within a delimited area at the same time;
- b. biological diversity: ecosystem, species and intra-species genetic variability, and the ecological relationships between ecosystem components;
- c. alien organism: an organism that does not belong to a species or population that occurs naturally in an area;
- d. garden pond: artificial pond where organisms are kept solely for ornamental purposes, that is physically separate from and does not drain into other river

- systems, and that is designed and sited in such a way that water and organisms cannot be released to other river systems;
- e. import: movement across a land border with a neighbouring state or to land from areas that lie outside the geographical scope of the regulations;
  - f. microorganisms: single-celled organisms and viruses;
  - g. biological, geological and landscape diversity: includes all diversity that is not largely a result of human influence;
  - h. organism: an individual plant, animal, fungus or microorganism, including all parts thereof that are capable of reproduction or of transferring genetic material;
  - i. organism from a native population: organisms that are descended from the original local population in the area;
  - j. release: release, intentional discharge of organisms or the disposal of such organisms as waste into the environment, or into a closed system from which escape is not impossible;
  - k. river system: lakes, pools, rivers, tributaries, streams, canals and artificial ponds;
  - l. vector: any organism, object, means of transport, unconsolidated materials, etc that can transfer organisms to areas beyond their natural range;
  - m. wildlife: terrestrial mammals, birds, reptiles and amphibians that occur naturally in the wild.

## **Chapter II. Import of organisms**

### **Section 5. *Prohibition against import***

It is prohibited to import organisms that are listed in Appendix I.

### **Section 6. *Requirement to hold a permit for import***

A permit is required for the import of organisms to which the prohibition of section 5 and the exceptions set out in section 7 do not apply.

### **Section 7. *Exceptions from the requirement to hold a permit for import***

(1) Unless their import is prohibited under section 5, no permit is required for the import of:

- a. organisms that are listed in Appendix II provided that the import satisfies the conditions set out in the appendix;
- b. terrestrial plants;
- c. freshwater organisms that can only survive at temperatures above 5 °C, and that are to be kept solely for ornamental purposes in indoor aquaria that are designed in such a way that organisms cannot escape;
- d. marine plants, invertebrates and fish that are to be kept solely in containers on land, including aquaria, that are designed in such a way that organisms cannot escape;
- e. microorganisms;
- f. biological control agents for which an import permit has been granted in or under other legislation; and
- g. fungi and algae for human consumption.

(2) The exceptions from the requirement to hold a permit do not apply to organisms that are listed in Appendix III.

(3) Import under paragraph (1) shall be carried out in accordance with the due care requirements set out in Chapter V.

### ***Section 8. Requirement to provide notification when importing organisms***

Any person that imports organisms that under section 7 (1) c) or d) are excepted from the requirement to hold a permit, or Buff-Tailed Bumblebee (*Bombus terrestris terrestris*) from Norwegian populations for pollination in greenhouses that under section 7 (1) a), see Appendix II, are excepted from the requirement to hold a permit, shall notify the Norwegian Environment Agency in accordance with section 16.

## **Chapter III. Release and placing on the market of alien organisms**