12 Protection of wild plants

(1) Subject to the provisions of this Part, if any person-
   (a) intentionally [1] or recklessly] picks, uproots or destroys any wild plant included in Schedule 7; or
   (b) not being an authorised person, intentionally uproots any wild plant not included in that Schedule,
he shall be guilty of an offence.

(2) Subject to the provisions of this Part, if any person-
   (a) sells, offers or exposes for sale, or has in his possession or transports for the purpose of sale, any live or dead wild plant included in Schedule 7, or any part of, or anything derived from, such a plant; or
   (b) publishes or causes to be published any advertisement likely to be understood as conveying that he buys or sells, or intends to buy or sell, any of those things,
he shall be guilty of an offence.

(3) Notwithstanding anything in subsection (1), a person shall not be guilty of an offence by reason of any act made unlawful by that subsection if he shows that the act was an incidental result of a lawful operation and could not reasonably have been avoided.

(4) In any proceedings for an offence under subsection (2)(a), the plant in question shall be presumed to have been a wild plant unless the contrary is shown.

(5) Any person authorised in writing by the Department may, at any reasonable time and (if required to do so) upon producing evidence that he is authorised, enter any land for the purpose of ascertaining whether an offence under subsection (1) or (2) is being, or has been, committed on that land; but nothing in this subsection shall authorise any person to enter a dwelling.

(6) Any person who intentionally obstructs a person acting in the exercise of the power conferred by subsection (5) shall be guilty of an offence.

NOTE: The common name or names given in the first column of this Schedule are included by way of guidance only; in the event of any dispute or proceedings, the common name or names shall not be taken into account.

### Schedule 7
Plants which are Protected

<table>
<thead>
<tr>
<th>Common name</th>
<th>Scientific name</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agrimony</td>
<td>Agrimonia eupatoria</td>
</tr>
<tr>
<td>Alpine clubmoss</td>
<td>Diphasiastrum alpinum</td>
</tr>
<tr>
<td>Beech fern</td>
<td>Phegopteris connectilis</td>
</tr>
<tr>
<td>Blunt-leaved pondweed</td>
<td>Potamogeton obtusifolius</td>
</tr>
<tr>
<td>Brackish water crowfoot</td>
<td>Ranunculus baudotii</td>
</tr>
<tr>
<td>Burnet saxifrage</td>
<td>Pimpinella saxifraga</td>
</tr>
<tr>
<td>Carline thistle</td>
<td>Carлина vulgaris</td>
</tr>
<tr>
<td>Celery-leaved buttercup</td>
<td>Ranunculus sceleratus</td>
</tr>
<tr>
<td>Common bladderwort</td>
<td>Utricularia vulgaris</td>
</tr>
<tr>
<td>Common cow-wheat</td>
<td>Melampyrum pratense</td>
</tr>
<tr>
<td>Common sea lavender</td>
<td>Limonium vulgare</td>
</tr>
<tr>
<td>Common wintergreen</td>
<td>Pyrola minor</td>
</tr>
<tr>
<td>Cranberry</td>
<td>Vaccinium oxyccocus</td>
</tr>
</tbody>
</table>

---

1 Words inserted by s. 3(a) of the Agricultural (Miscellaneous Provisions Act 2008 (c.11) as from 16th July 2008
Dioecious sedge
Doddor
Dune fescue
Eelgrass
Fennel pondweed
Few-flowered spike rush
Field gentian
Floating burr-reed
Floating club-rush
Grass-leaved orache
Greater broomrape
Greater spearwort
Hare’s-foot clover
Hay-scented buckler-fern
Horned pondweed
Iceland cress
Isle of Man cabbage
Ivy-leaved bellflower
Juniper
Killamey filmy fern
Least willow
Lesser clubmoss
Lesser tussock-sedge
Lesser water-plantain
Maidenhair fern
Marsh hawk’s-beard
Marsh stitchwort
Mountain pansy
Narrow buckler-fern
Narrow-leaved water-plantain
Nodding bur-marigold
Orchid (all species)
Oyster plant
Pale butterwort
Pale sedge
Parsley fern
Parsley water-dropwort
Pennyroyal
Pillwort
Pink water speedwell
Portland spurge
Rock sea lavenders
Saltmarsh flat-sedge
Sea-purslane
Sea wormwood
Shepherd's cress
Slender spike-rush
Smooth cat’s-ear
Spring sandwort
Stagshorn club moss
Strawberry clover
Tubular water-dropwort
Viper’s bugloss
Western clover
White sedge

Carex dioica
Cuscuta epithymum
Vulpia fasciculata
Zostera marina
Potamogeton pectinatus
Eleocharis quinqueflora
Gentianella campestris
Sparganium natans
Eleogiton fluitans
Atriplex littoralis
Orobanche rapun-genistae
Ranunculus lingua
Trifolium arvense
Dryopteris aemula
Zannichellia palustris
Rorippa islandica
Coincya monensis monensis
Wahlenbergia hederacea
Juniperus communis
Trichomanes speciosum
Salix herbacea
Selaginella selaginoides
Carex diandra
Baldellia ranunculoides
Adiantum capillus veneris
Crepis paludosa
Stellaria palustris
Viola lutea
Dryopteris carthusiana
Alisma lanceolatum
Bidens cernua
Orchidaceae
Mertensia maritima
Pinguicula lusitanica
Carex pallescens
Cryptogramma crispa
Oenanthe lachenalii
Mentha pulegium
Pilularia globulifera
Veronica catenata
Euphorbia portlandica
Limonium binervosum agg.
Blysmus rufus
Atriplex portulacoides
Seripheidum maritimum
Teesdalia nudicaulis
Eleocharis uniglumis
Hypocharis glabra
Minuartia verna
Lycopodium clavatum
Trifolium fragiferum
Oenanthe fistulosa
Echium vulgare
Trifolium occidentale
Carex curta
<table>
<thead>
<tr>
<th>Wilson’s filmy fern</th>
<th>Hymenophyllum wilsonii</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wood fescue</td>
<td>Festuca altissima</td>
</tr>
<tr>
<td>Wood melick</td>
<td>Melica uniflora</td>
</tr>
<tr>
<td>Wood small-reed</td>
<td>Calamagrostis epigejos</td>
</tr>
<tr>
<td>Wood speedwell</td>
<td>Veronica montana</td>
</tr>
<tr>
<td>Wood vetch</td>
<td>Vicia sylvatica</td>
</tr>
<tr>
<td>Yellow waterlily</td>
<td>Nuphar lutea</td>
</tr>
</tbody>
</table>

**NOTE:** The common name or names given in the first column of this Schedule are included by way of guidance only; in the event of any dispute or proceedings, the common name or names shall not be taken into account.