



# Code of Conduct – Falklands Wild Plants

*Version 1. December 2019*

This Code of Conduct is for those enjoying, photographing, picking, or collecting wild plants for recreation or study.

The Code provides guidance and information - it should not be taken as definitive statement of the law and Falklands Conservation do not accept any responsibility for any errors or omissions. The guidance is not aimed at people collecting wild plants, fruits, or seeds commercially or for ecological restoration projects. This code has been broadly adapted from the Botanical Society of Britain and Ireland's Code of Conduct (2017 revision) with their kind permission.

## Key points

- Always gain permission from land owners to visit private land and before picking, uprooting or collecting wild plants.
- To conserve wild plant populations please don't take many - and never more than one in every 20 flowers.
- A list at the end of this document shows both legally protected flowers which cannot be disturbed, and rare plants that are not legally protected but should not be collected as they are endangered.
- When picking or photographing plants be mindful of other wildlife - you may be close to a nest site or fragile plants.



## Wild plants and the law

### General

The Conservation of Wildlife and Nature Ordinance (1999), makes it an offence to deliberately pick, collect, cut, uproot or destroy a *protected* wild plant without a licence unless this is done incidentally as a consequence of a legal action by the land owner or legal occupier. Protected plants (correct as of 26<sup>th</sup> August 2019) are listed at the end of the document. The list may be updated - for up-to-date information consult the Government's Environmental Officer.



*This native violet is protected*

### In National Nature Reserves

The Conservation of Wildlife and Nature Ordinance (1999) gives the Governor power to create National Nature Reserves. Each National Nature Reserve can have its own legal provisions regarding wild plants. Both the Sea Lion Island National Nature Reserve and Patricia Luxton National Nature Reserve have stringent regulations prohibiting the picking, plucking, or uprooting of plants.

### International protection and trade

All exports out of the Falkland Islands of plants or plant parts may need an export permit, Falkland Islands Customs and Immigration Department should be consulted to provide guidance. All species of orchid, worldwide, are protected from international trade by the Convention on the International Trade in Endangered Species (CITES) and require CITES permits for transport between countries. People transporting orchids without a permit risk heavy fines and even prison.

### Introduction of alien plants

The Conservation of Wildlife and Nature Ordinance (1999) protects native wildlife and habitats by making it an offence for a person to plant or otherwise cause to grow in the wild any plant of a kind not ordinarily found growing in the wild in the Falkland Islands.



*Gavilea araucana: protected*

## Picking and collecting if not protected by law

This section provides guidance for people who wish to pick plants for pleasure, or to gather food for personal use. It does not address the commercial gathering of plant material. The aim of the guidance is to promote the conservation of wild plants whilst encouraging enjoyment of our wildlife and wilderness.

- Always get permission from a landowner before you visit or pick plants.
- Only pick plants which you recognise and know to be plentiful. The plants should be present in large patches in the area that you are collecting from.
- Consider other visitors and wildlife first – are flowers best left for others to enjoy, or berries for small birds to eat?

- Never exceed the 'one in twenty' rule: If there are twenty flowers it is reasonable to take one – If you wish to take two, there should be forty etc.
- Do not uproot plants.
- Be careful not to damage other vegetation when picking the plants – for example large, low- growing cushion plants could be hundreds of years old.
- Rare and threatened plants which are not protected by law outside of National Nature Reserves are included in the list at the end of this document. These plants should not be picked as you may damage their chances of surviving in the Falklands. Such rare plants can be difficult to identify and a useful rule of thumb is that if a plant looks unusual or if there is little of it – do not pick it. Consider instead taking good quality photographs and recording its location. If you would like to learn more about Falklands rare and threatened plants, a useful identification guide is available [online](#).



*Falkland daisies at Shallow Harbour Farm; a wonderful native plant habitat*

## Botanical collecting and research

If you plan to collect plant material for research or inclusion in a collection please contact the Falkland Islands Government Environment Unit for advice and information. They may require that you gain a research permit and can also provide information about existing collections including those at the Falkland Islands National Herbarium at Falklands Conservation.

## Educational and training groups

Field trips are a brilliant way to enthuse groups about wildlife. It is the responsibility of leaders of field groups to obtain permission from landowners and ensure that groups comply with the law. In some areas unrestricted activity by a large group may endanger threatened plant populations, to avoid this leaders should give clear guidance in-line with this document.

## Fruits, seeds and fungi

Traditional gathering of berries and mushrooms should be carried out in moderation (relative to their abundance), and only for plants that are common. Please only pick and eat what you know is safe to do so. Collecting wild flower seed for private gardening must be done sparingly and only common species, which are not protected by law, should be gathered.

## Photography

Please take care when photographing plants. Avoid 'gardening' before taking photographs as this can expose a plant to grazing or the elements. Have regard for fragile mosses, liverworts, lichens and fungi growing around your target plant.

## Statutory agencies responsible for plant conservation

The Environmental Officer at Falkland Islands Government's Policy and Economic Development Unit is responsible for legal aspects of plant conservation.

# Appendices

## 1. Legally Protected plants – From Schedule 3 of The Conservation of Wildlife and Nature Ordinance (1999)



Adders Tongue ( <i>Ophioglossum crotalophoroides</i> )	Falklands False Plantain ( <i>Nastanthus falklandicus</i> )
Dusen's Moonwort ( <i>Botrychium duseni</i> )	Hairy Daisy ( <i>Erigeron incertus</i> )
Chilean Maidenhair Fern ( <i>Adiantum chilense</i> )	Falkland Pondweed ( <i>Potamogeton linguatus</i> )
Feltons Flower ( <i>Calandrinia feltonii</i> )	Yellow Pale Maiden ( <i>Sisyrinchium chilense</i> )
Shrubby Seablite ( <i>Suaeda argentinensis</i> )	Pale Yellow Orchid ( <i>Gavilea australis</i> )
Falklands Rock Cress ( <i>Phlebotobium maclovianum</i> )	Yellow Orchid ( <i>Gavilea littoralis</i> )
Fuegian Saxifrage ( <i>Saxifraga magellanica</i> )	Gaudichaud's Orchid ( <i>Chlorae gaudichaudii</i> )
Native Yellow Violet ( <i>Viola maculata</i> )	Fir Clubmoss ( <i>Huperzia selago</i> )
Yellow Lady's Slipper ( <i>Calceolaria dichotoma</i> )	Comb Fern ( <i>Schizaea fistulosa</i> )
	Leathery Shield Fern ( <i>Rumohra adiantiformis</i> )

## 2. Globally and nationally rare and threatened or near-threatened plants.

This list is from *The identification guide to globally and nationally threatened vascular plants of the Falkland Islands* (R Upton, Falklands Conservation, 2012). It is based on IUCN threat criteria (2001).

### Globally threatened species

Hairy Daisy (*Erigeron incertus*)  
Antarctic Cudweed (*Gamochaeta Antarctica*)  
Silvery Buttercup (*Hamadryas argentea*)  
Falkland Nassauvia (*Nassauvia falklandica*)  
False Plantain (*Nastanthus falklandicus*)  
Falkland Rock-cress (*Phlebotobium maclovianum*)  
Moore's Plantain (*Plantago moorei*)

### Nationally threatened species

Antarctic Prickly-burr (*Acaena Antarctica*)  
Maidenhair-fern (*Adiantum chilense*)  
Fuegian Foxtail (*Alopecurus magellanicus*)  
Spider-flower (*Arachnitis uniflora*)  
Spleenwort (*Asplenium dareoides*)  
Chilean Tall-fern (*Blechnum cordatum*)  
Dusen's Moonwort (*Botrychium dusenii*)  
Yellow Lady's Slipper (*Calceolaria biflora*)  
Small Dusky Sedge (*Carex acaulis*)  
Banks' Sedge (*Carex banksii*)  
Falkland Sedge (*Carex macloviana*)  
Fuegian Sedge (*Carex magellanica*)

Sage's Sedge (*Carex sagei*)  
Brittle Bladder-fern (*Cystopteris fragilis*)  
Fuegian Whitlowgrass (*Draba magellanica*)  
Waterwort (*Elatine triandra*)  
Pale Yellow Orchid (*Gavilea australis*)  
Strap-fern (*Grammitis poeppigiana*)  
Patagonian Hawkweed (*Hieracium patagonicum*)  
Bramble-fern (*Hypolepis poeppigii*)  
Fir Clubmoss (*Huperzia fuegiana*)  
Darwin's Filmy-fern (*Hymenophyllum darwinii*)  
Berg's Hair-grass (*Koeleria permollis*)  
Adder's-tongue (*Ophioglossum crotalophoroides*)  
Sea Plantain (*Plantago maritima*)  
Native Pondweed (*Potamogeton linguatus*)  
Leathery Shield-fern (*Rumohra adiantiformis*)  
Tasselweed (*Ruppia filifolia*)  
Shore Pimpernel (*Samolus repens*)  
Fuegian Saxifrage (*Saxifraga magellanica*)  
Comb Fern (*Schizaea australis*)  
California Club-rush (*Schoenoplectus californicus*)  
Scullcap (*Scutellaria mummulariifolia*)  
Shrubby Seablite (*Suaeda argentinensis*)  
Fuegian Violet (*Viola magellanica*)

