

*These notes relate to the Land Reform (Scotland) Act 2003
(asp 2) which received Royal Assent on 25 February 2003*

LAND REFORM (SCOTLAND) ACT 2003

EXPLANATORY NOTES

THE ACT – AN OVERVIEW

Schedule 2 Amendment and Repeal of Enactments

The Conservation (Natural Habitats Etc.) Regulations 1994 (S.I. 1994/2716)

427. **Paragraph 15** amends regulation 3(2) of the 1994 Regulations so as to provide that Ministers and Scottish Natural Heritage, in exercising their functions under this Act, must do so in a way that complies with the requirements of Council Directive [92/43/EEC](#) on the conservation of natural habitats and of wild fauna and flora.
428. **Paragraph 16** inserts a new section 69A into the 1994 Regulations, the effect of which is to ensure that whenever a local authority is preparing a core path plan or is delineating, creating or maintaining a path under the relevant provisions of this Act in relation to land on which there is situated a site protected for the purpose of Community law, the authority will require to undertake a prior nature conservation impact assessment in accordance with the relevant provisions of the 1994 Regulations.