
DRAFT STATUTORY INSTRUMENTS

2019 No. 0000

**EXITING THE EUROPEAN UNION
WILDLIFE**

The Conservation of Habitats and Species
(Amendment) (EU Exit) Regulations 2019

Made - - - - - *******

Coming into force in accordance with regulation 1

THE CONSERVATION OF HABITATS AND SPECIES
(AMENDMENT) (EU EXIT) REGULATIONS 2019

PART 1

Introduction

1. Citation and commencement

PART 2

Amendment of primary legislation

2. Amendment of the Wildlife and Countryside Act 1981: England and Wales

PART 3

Amendments to the Conservation of Habitats and Species Regulations 2017

3. Amendment of the Conservation of Habitats and Species Regulations 2017
4. Amendment of regulation 3 (interpretation)
5. Insertion of new regulation 3A
6. Amendments of regulation 8 (European sites and European marine sites)
7. Amendment to regulation 9 (duties relating to compliance with the Directives)
8. New regulation 9A
9. Amendment of regulation 10 (duties in relation to wild bird habitat)
10. Amendments of regulations 12 to 13
11. Omission of Regulation 14 (consultation as to inclusion of site omitted from the list)

12. Amendment of regulation 15 (classification of sites as special protection areas)
13. Insertion of new regulation 16A
14. Amendment of regulation 17 (register of European sites)
15. Amendment of regulation 24 (assessment of implications for European sites)
16. Amendment of regulation 29 (assessment of implications for European sites after service of stop notice)
17. Amendment of regulation 44 (protection of certain wild animals: defences)
18. Amendment of regulation 45 (prohibition of certain methods of capturing or killing wild animals)
19. Amendment of regulation 48 (protection of certain wild plants: defences)
20. Amendment of regulation 50 (surveillance of conservation status of habitats and species)
21. Amendment to regulation 51 (protection of certain animals and plants from exploitation)
22. Amendment of regulation 53 (protection from incidental capture and killing)
23. Amendment of regulation 55 (licences for certain activities relating to animals or plants)
24. Amendment of regulation 63 (assessment of implications for European sites and European offshore marine sites)
25. Amendment of regulation 64 (considerations of overriding public interest)
26. Amendment of regulation 107 (considerations of overriding public interest)
27. Amendment of regulation 116 (powers of entry: wildlife inspectors)
28. Amendment to regulation 136 (research)
29. Insertion of new regulation 141A
30. Insertion of new regulations 143 to 145
31. Insertion of new Schedule 4A

PART 4

Amendments to the Conservation of Offshore Marine Habitats and Species Regulations 2017

32. Amendment of the Conservation of Offshore Marine Habitats and Species Regulations 2017
33. Amendment of regulation 2 (interpretation)
34. Amendment of regulation 6 (duty of competent authorities)
35. Amendment of regulation 7 (list of sites eligible for identification as of Community importance)
36. New regulation 7A
37. Amendment of regulation 8 (notification of a proposal)
38. Amendment of regulations 9 to 11
39. Amendment of regulation 12 (classification of sites as special protection areas)
40. Amendment of regulation 13 (classification of sites in the Scottish offshore region and the Welsh offshore region as special protection areas)
41. Amendment to regulations 15 to 17 (hearings)
42. Amendment of regulation 18 (meaning of “European offshore marine site”)
43. Insertion of new regulation 18A
44. Amendment of regulation 19 (register of European offshore marine sites)
45. Amendment of regulation 20 (notification of changes to the register)
46. Amendment of regulation 24 (co-ordinated management of sites)

47. Amendment of regulation 26 (prevention of deterioration of habitats and disturbance of species)
48. Amendment of regulation 27 (meaning of “European site”)
49. Amendment of regulation 28 (protection of European offshore marine sites and European sites)
50. Amendment of regulation 29 (considerations of overriding public interest)
51. Amendment of regulation 33 (review of existing decisions and consents)
52. Amendment of regulation 37 (notification of compensatory measures)
53. Amendment of regulation 38 (offences relating to European offshore marine sites)
54. Amendment of regulation 39 (application of offences in Part 3)
55. Amendment of regulation 40 (protection of wild birds, their eggs and nests)
56. Amendment of regulation 41 (defences to the offences in regulation 40)
57. Amendment of regulation 42 (prohibition of certain methods of capturing or killing wild birds)
58. Amendment of regulation 43 (sale etc. of live or dead wild birds, eggs etc.)
59. Amendment of regulation 45 (protection of wild animals listed in Annex IV(a) to the Habitats Directive)
60. Amendment of regulation 46 (defences to the offences in regulation 45)
61. Amendment of regulation 47 (prohibition of certain methods of capturing and killing wild animals)
62. Amendment of regulation 49 (offences relating to wild plants listed in Annex IV(b) to the Habitats Directive)
63. Amendment of regulation 50 (surveillance of conservation status of habitats and species)
64. Amendment of regulation 54 (introduction of new species)
65. Insertion of new regulation 55A
66. Amendment of regulation 74 (research)
67. Amendment of regulation 76 (re-introduction of species)
68. Omission of regulation 79 (reports to the Commission)
69. Insertion of new regulations 84A and 84B
70. New regulation 86A
71. Insertion of new Schedule 2A
72. Insertion of new Schedule 3A

PART 5

Amendments to the Offshore Petroleum Activities (Conservation of Habitats) Regulations 2001

73. Amendment of the Offshore Petroleum Activities (Conservation of Habitats) Regulations 2001
 74. Amendment of regulation 2 (interpretation)
 75. Amendment of regulation 3 (application of the Directives)
 76. Amendment of regulation 6 (projects which should be carried out for imperative reasons of overriding public interest)—
 77. Amendment of regulation 7 (control of activities under licence)
 78. Amendment of regulation 20A (fees)
- Signature

Draft Legislation: This is a draft item of legislation. This draft has since been made as a UK Statutory Instrument: *The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 No. 579*

SCHEDULE 2 — New Schedule 2A to the Conservation of Offshore Marine Habitats and Species Regulations 2017

SCHEDULE 3 — New Schedule 3A to the Conservation of Offshore Marine Habitats and Species Regulations 2017

Explanatory Note