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STATUTORY RULES OF NORTHERN IRELAND

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**2009 No. 8**

**The Conservation (Natural Habitats, etc.)  
(Amendment) Regulations (Northern Ireland) 2009**

**Amendments to the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995**

3. In regulation 9A (surveillance of conservation status of habitats and species)—
- (a) in paragraph (1), after “arrangements”, insert “in accordance with paragraphs (1A) and (1B)”;
  - (b) after paragraph (1) insert—
    - “(1A) The Department shall—
      - (a) assess how and to what extent surveillance of the conservation status of each relevant habitat and species needs to be carried out, having regard to—
        - (i) whether a habitat or species is a priority natural habitat type or priority species; and
        - (ii) the conservation status of the habitat or species; and
      - (b) ensure that the necessary surveillance is carried out on an ongoing basis.
    - (1B) Surveillance for the purpose of this regulation may be carried out by—
      - (a) the Department; or
      - (b) any other person acting pursuant to, and in accordance with, an agreement with the Department.
    - (1C) In paragraph (1A), a “relevant” habitat or species means a habitat or species of a type referred to in paragraph (1)”;
  - (c) for paragraph (5) substitute—
    - “(5) In this regulation, in relation to any marine area—
      - (a) for the words “the Department” where they occur substitute “the Secretary of State” (but see subparagraph (b));
      - (b) the activities referred to in paragraphs (1A)(a) and (1B)(a) shall be carried out by the Department on behalf of the Secretary of State.”.