
DRAFT STATUTORY INSTRUMENTS

2019 No.

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

PART 3

Amendments to the Conservation of Habitats and Species Regulations 2017

Insertion of new regulation 141A

29. After regulation 141, insert—

“Transitional provisions: EU exit

141A.—(1) Where before exit day a site in England or Wales has been adopted in accordance with the procedure set out in Article 4(2) of the Habitats Directive (list of sites of Community importance), the appropriate authority must designate that site as a special area of conservation as soon as possible and no later than six years from the date of adoption of that site.

(2) Paragraph (3) applies where a site in England or Wales—

- (a) has before exit day been proposed, in a list of sites transmitted to the European Commission, as eligible for identification as of Community importance in accordance with the procedure laid out in Article 4(2) of the Habitats Directive (list of sites of Community importance); and
- (b) has not yet been so identified as being of Community importance.

(3) Where this paragraph applies, the appropriate authority must within six years of exit day designate the site as a special area of conservation or give notice to the appropriate nature conservation body of its intention not to designate the site, and publish, in such form as it sees fit, its reasons for not designating it.”.