
DRAFT STATUTORY INSTRUMENTS

2019 No.

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

PART 4

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

New regulation 86A

70. After regulation 86, insert—

“Transitional provisions: EU exit

86A.—(1) Where before exit day a site in the offshore marine area has been adopted in accordance with the procedure laid out in Article 4(2) of the Habitats Directive (list of sites of Community importance), the relevant administration 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 before exit day a site in the offshore marine area—

- (a) has been proposed 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) as part of a list of sites transmitted to the European Commission; and
- (b) has not yet been so identified as being of Community importance.

(3) Where this paragraph applies, the relevant administration must within six years of exit day—

- (a) designate the site as a special area of conservation; or
- (b) give notice to the Joint Committee of its intention not to designate the site, and publish, in such form as it sees fit, its reasons for not designating the site, having regard the objective in regulation 7(3).”.