
DRAFT STATUTORY INSTRUMENTS

2019 No.

**The Conservation (Natural Habitats, etc.) (Amendment)
(Northern Ireland) (EU Exit) Regulations 2019**

PART 3

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

Amendment of regulation 44 (Consideration of overriding public interest)

23.—(1) Regulation 44 is amended as follows.

(2) In paragraphs (2)(b) and (3), for “European Commission” substitute “Department”.

(3) For paragraph (4) substitute—

“(4) The Department shall have regard to the national interest, and provide their decision as to whether the reasons are to be considered imperative reasons of overriding public interest.”.

(4) After paragraph (4), insert—

“(4A) Before deciding if reasons are imperative reasons of overriding public interest, the Department shall consult the following, and have regard to their opinion—

- (a) the Joint Nature Conservation Committee;
- (b) the Secretary of State;
- (c) the Scottish Ministers;
- (d) the Welsh Ministers; and
- (e) any other person the Department considers appropriate.”.