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STATUTORY INSTRUMENTS

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**2012 No. 1927**

**The Conservation of Habitats and  
Species (Amendment) Regulations 2012**

**Amendment of regulation 2**

3.—(1) Regulation 2(1) (extent) is amended as follows.

(2) In paragraph (2)—

(a) for sub-paragraph (b) substitute—

“(b) regulations 9 (duties relating to compliance with the Directives) and 9A (duties in relation to wild bird habitat), in so far as those regulations apply in relation to the exercise of a function which relates to a reserved matter (within the meaning of Schedule 5 to the Scotland Act 1998(2) (reserved matters));”;

(b) after sub-paragraph (c) insert—

“(ca) Chapter 1 of Part 6 (assessment of plans and projects: general provisions), in so far as that Chapter applies in relation to plans and projects—

- (i) which do not relate to a matter specified in Chapters 2 to 9 of that Part, and
- (ii) which relate to a reserved matter (within the meaning of Schedule 5 to the Scotland Act 1998);”.

(3) For paragraph (4) substitute—

“(4) The following provisions also extend to Northern Ireland—

- (a) regulations 9 and 9A, in so far as those regulations apply in relation to the exercise of a function which relates to an excepted matter (within the meaning given by section 4(1) of the Northern Ireland Act 1998(3));
- (b) Chapter 1 of Part 6, in so far as that Chapter applies in relation to plans and projects—
  - (i) which do not relate to a matter specified in Chapters 2 to 9 of that Part, and
  - (ii) which relate to an excepted matter (within the meaning given by section 4(1) of the Northern Ireland Act 1998);
- (c) regulation 100, in so far as it applies in relation to a marine licence under Part 4 of the Marine Act in respect of anything done in the course of carrying on an activity which relates to a matter which is an excepted matter by virtue of paragraph 4 of Schedule 2 to the Northern Ireland Act 1998 (defence of the realm etc.);
- (d) regulation 107A, in so far as it applies in relation to the exercise of any power by the Secretary of State, and regulations 102, 103 and 105 in so far as they apply to marine policy statements by virtue of regulation 107A; and
- (e) in Schedule 6—

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(1) Regulation 2 was amended by [S.I. 2011/625](#).

(2) [1998 c.46](#).

(3) [1998 c.47](#).

(i) sub-paragraphs (3) and (5) of paragraph 5, and sub-paragraph (1) of paragraph 5 in so far as it relates to those sub-paragraphs, and

(ii) paragraph 7,

and regulation 132 in so far as it relates to those provisions.

(4A) This regulation and regulations 1, 3, 5, 7, 8, 128 and 131 also extend to Northern Ireland in so far as they have effect in relation to the provisions specified in paragraph (4).

(4B) Chapter 1 of Part 6 also extends to Northern Ireland in so far as it has effect in relation to the provision specified in paragraph (4)(c).”.

(4) Omit paragraph (5).