
STATUTORY INSTRUMENTS

2017 No. 1012

The Conservation of Habitats and Species Regulations 2017

PART 1

Introductory and General Provisions

[^{F1} Interpretation: the Directives

- 3A.**—(1) The Habitats Directive is to be construed for the purposes of these Regulations as if—
- (a) any reference to “the European territory of the Member States to which the Treaty applies” included a reference to the United Kingdom;
 - (b) any reference to “Member State” or “Member States” included a reference to the United Kingdom;
 - (c) any reference to “of Community interest” included, in relation to the United Kingdom, a reference to “of national interest”;
 - (d) in Article 1(d) and (h), references to “the Community” were references to “the European Union or the United Kingdom”; and
 - (e) in Article 1(l), the reference to “a site of Community importance designated by the Member State” included, in relation to the United Kingdom, a reference to a site of national importance designated under any of the retained transposing regulations.
- (2) The new Wild Birds Directive is to be construed for the purposes of these Regulations as if—
- (a) any reference to “the European territory of the Member States to which the Treaty applies” included a reference to the United Kingdom; and
 - (b) any reference to “Member State” or “Member States” included a reference to the United Kingdom.
- (3) Any reference in these Regulations to “the requirements of the Directives” is to be construed as if the objectives of the Directives included the objectives referred to in regulation 16A(2).
- (4) The appropriate authority may, after consultation with the appropriate nature conservation body and such other bodies or persons as it considers appropriate, issue guidance as to the interpretation of the requirements of the Directives.
- (5) Any guidance issued under paragraph (4) must be published by the appropriate authority in such manner as it considers appropriate.]

Textual Amendments

- F1** [Reg. 3A](#) inserted (31.12.2020) by [The Conservation of Habitats and Species \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/579\)](#), regs. 1, 5; 2020 c. 1, Sch. 5 para. 1(1)

Changes to legislation:

The Conservation of Habitats and Species Regulations 2017, Section 3A is up to date with all changes known to be in force on or before 31 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- reg. 41(2)(aa) inserted by [2023 c. 55 Sch. 8 para. 38\(5\)](#)
- reg. 108(6) inserted by [2023 c. 55 Sch. 8 para. 39\(6\)](#)
- reg. 111(2)(aa)(ab) substituted for reg. 111(2)(a)(b) by [2023 c. 55 Sch. 8 para. 40\(3\)\(a\)](#)