

2022 No. 858

WILDLIFE, ENGLAND

The Beavers (England) Order 2022

Made - - - - *21st July 2022*

Laid before Parliament *22nd July 2022*

Coming into force - - *1st October 2022*

The Secretary of State makes the following Order in exercise of the powers conferred by regulation 143(1) of the Conservation of Habitats and Species Regulations 2017^(a) (“the 2017 Regulations”) and section 22(5)(a) of the Wildlife and Countryside Act 1981^(b) (“the Act”).

For the purposes of regulation 143(1) of the 2017 Regulations, the Secretary of State is satisfied that the natural range of the species added to Schedule 2 of those Regulations by this Order includes an area in Great Britain.

For the purposes of section 26(4)(a) of the Act the Secretary of State considers that no local authority is affected by this Order.

The Secretary of State has, in accordance with section 26(4)(a) of the Act, given any other person affected an opportunity to submit objections or representations with respect to the subject matter of this Order. The Secretary of State has also, in accordance with section 26(4)(b) of the Act, consulted with Natural England, being the advisory body^(c) which the Secretary of State considers is best able to advise as to whether this Order should be made.

Citation, commencement, extent and application

1.—(1) This Order may be cited as the Beavers (England) Order 2022 and comes into force on 1st October 2022.

(2) This Order extends to England and Wales and applies to England only.

Amendment of the Conservation of Habitats and Species Regulations 2017

2. In Schedule 2 (European Protected Species of animals) to the Conservation of Habitats and Species Regulations 2017, after the entry for “Bats, Typical (all species)” insert—

(a) S.I. 2017/1012, amended by S.I. 2019/579; there are other amending instruments but none is relevant. See the definition of “the appropriate authority” in regulation 3(1).

(b) 1981 c. 69; section 22(5)(a) was amended by the Infrastructure Act 2015 (c. 7), section 25(5). Parts 1A and 1B of Schedule 9 were inserted by the Infrastructure Act 2015, section 24.

(c) See the definition of “advisory body” in section 23(3) of the Wildlife and Countryside Act 1981.

“Beaver, Eurasian	Castor fiber”.
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Amendment of the Wildlife and Countryside Act 1981

3.—(1) Schedule 9 (animals and plants to which section 14 applies) to the Wildlife and Countryside Act 1981 is amended as follows.

(2) In Part 1A (native animals), before the entry for “Capercaillie” insert—

“Beaver, Eurasian	Castor fiber”.
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(3) In Part 1B (animals no longer normally present), omit—

“Beaver, Eurasian	Castor fiber”.
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21st July 2022

George Eustice
Secretary of State
Department for Environment, Food and Rural Affairs

EXPLANATORY NOTE

(This note is not part of the Order)

This Order, which applies to England only, amends Schedule 2 to the Conservation of Habitats and Species Regulations 2017 (S.I. 2017/1012), which lists European Protected Species of animals, and Schedule 9 to the Wildlife and Countryside Act 1981 (c. 69), which lists animals that may not be released or allowed to escape into the wild and plants which may not be planted or otherwise caused to grow in the wild.

Article 2 inserts reference to the Eurasian Beaver into Schedule 2 to the Conservation of Habitats and Species Regulations 2017.

Article 3 inserts reference to the Eurasian Beaver into Part 1A (native animals) of Schedule 9 to the Wildlife and Countryside Act 1981 and omits the reference to the Eurasian Beaver from Part 1B (animals no longer normally present) of that Schedule.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sector is foreseen.

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