



STATUTORY INSTRUMENTS.

S.I. No. 499 of 2013



EUROPEAN COMMUNITIES (BIRDS AND NATURAL HABITATS)
(AMENDMENT) REGULATIONS 2013

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I, JIMMY DEENIHAN, Minister for Arts, Heritage and the Gaeltacht, in exercise of the powers conferred on me by section 3 of the European Communities Act 1972 (No. 27 of 1972) and for the purpose of giving effect to Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 (which codifies Council Directive 79/409/EEC of 2 April 1979 (as amended)) and Council Directive 92/43/EEC of 21 May 1992 (as amended by Council Directive 97/62/EC of 27 October 1997, Regulation (EC) No. 1882/2003 of the European Parliament and of the Council of 29 September 2003, Council Directive 2006/105/EC of 20 November 2006 and as amended by Act of Accession of Austria, Sweden and Finland (adapted by Council Decision 95/1/EC, Euratom, ECSC), Act concerning the conditions of accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia, the Slovak Republic and the Republic of Croatia and the adjustments to the Treaties on which the European Union is founded and as amended by the Corrigendum to that Directive) hereby make the following Regulations:

PART 1

PRELIMINARY AND GENERAL

Citation and construction

1. (1) These Regulations may be cited as the European Communities (Birds and Natural Habitats) (Amendment) Regulations 2013.
- (2) These Regulations and the European Communities (Birds and Natural Habitats) Regulations 2011 may be cited together as the European Communities (Birds and Natural Habitats) Regulations 2011 and 2013.
- (3) The Wildlife Act 1976, the Wildlife (Amendment) Act 2000, the Wildlife (Amendment) Act 2010, the Wildlife (Amendment) Act 2012, the European Communities (Birds and Natural Habitats) (Restrictions of the Use of Poison Bait) Regulations 2010, the European Communities (Birds and Natural Habitats) Regulations 2011, and these Regulations shall be construed together as one.
- (4) These Regulations shall come into operation on 17 December 2013.

*Notice of the making of this Statutory Instrument was published in
"Iris Oifigiúil" of 24th December, 2013.*

Interpretation

2. In these Regulations, “the Regulations of 2011” means the European Communities (Birds and Natural Habitats) Regulations 2011 (S.I. No. 477 of 2011).

PART 2

AMENDMENT

Amendment to the Regulations of 2011

3. Regulation 42 of the Regulations of 2011 is amended by the insertion of the following paragraph after paragraph (24):

“(25) Notwithstanding the provisions of paragraphs (1), (3), (6) and (21), the Commission for Energy Regulation shall not be required to carry out screening for appropriate assessment or an appropriate assessment in relation to an application for a Safety Permit under Section 13P of the Electricity Regulation Act 1999 (as inserted by section 3 of the Petroleum (Exploration and Extraction) Safety Act 2010) (No. 4 of 2010) in respect of a designated petroleum activity where it confirms that the consent of another public authority records that a screening for appropriate assessment, or an appropriate assessment, where relevant, has been carried out, or another public authority confirms that a screening for appropriate assessment or an appropriate assessment will be carried out by that public authority in respect of the underlying project to which the said designated petroleum activity relates.”.



GIVEN under the Official Seal of the Minister for Arts, Heritage and the Gaeltacht.
17 December 2013.

JIMMY DEENIHAN,
Minister for Arts, Heritage and the Gaeltacht.

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