

# Statutory Instrument 1997 No. 3055

## **The Conservation (Natural Habitats, &c.) (Amendment) Regulations 1997**

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### STATUTORY INSTRUMENTS

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**1997 No. 3055**

**WILDLIFE**

**COUNTRYSIDE**

**The Conservation (Natural Habitats, &c.) (Amendment) Regulations 1997**

*Made*

*22nd December 1997*

*Laid before Parliament*

*9th January 1998*

*Coming into force**30th January 1998*

The Secretary of State, being a Minister designated<sup>[1]</sup> for the purposes of subsection (2) of section 2 of the European Communities Act 1972<sup>[2]</sup> in relation to measures relating to the conservation of natural habitats and of wild fauna and flora, in exercise of the powers conferred upon him by that subsection and of all other powers enabling him in that behalf, hereby makes the following Regulations:

**Citation and commencement**

1. These Regulations may be cited as the Conservation (Natural Habitats, &c.) (Amendment) Regulations 1997 and shall come into force on 30th January 1998.

**Amendment of the Conservation (Natural Habitats, &c.) Regulations 1994**

2. - (1) The Conservation (Natural Habitats, &c.) Regulations 1994<sup>[3]</sup> shall be amended as follows.

(2) In paragraph (1) of regulation 2 (interpretation and application) for the definition of "the Habitats Directive"<sup>[4]</sup>, there shall be substituted the following -

" "the Habitats Directive" means Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora as amended by the Act of Accession to the European Union of Austria, Finland and Sweden<sup>[5]</sup> and by Council Directive 97/62/EC<sup>[6]</sup>."

(3) In paragraph (1) of regulation 3 (implementation of Directive) for the words from "Council Directive" to the end, there shall be substituted the following words "the Habitats Directive."

Signed by authority of the Secretary of State

*Angela Eagle*

Parliamentary Under Secretary of State, Department of the Environment, Transport and the Regions

22nd December 1997

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**EXPLANATORY NOTE**

*(This note is not part of the Regulations)*

These Regulations amend the Conservation (Natural Habitats, &c.) Regulations 1994 ("the Habitats Regulations"), which make provision for implementing Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora ("the Habitats Directive").

Regulation 2 provides a new definition of the Habitats Directive so as to give effect to amendments made to the Directive by the Act of Accession to the European Union of Austria, Finland and Sweden and by Council Directive 97/62/EC.

The most important amendments relevant to the United Kingdom are made by Council Directive 97/62/EC, which substitutes new Annexes I and II to the Habitats Directive. Descriptions of natural habitats types in Annex I and species in Annex II are updated and new natural habitat types and species are added. The only new habitat type or species relevant to Great Britain is the habitat type "turloughs" (which formerly were only listed in respect of Ireland).

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*Notes:*

[1] S.I. 1992/2870.[back](#)

[2] 1972 c. 68.[back](#)

[3] S.I. 1994/2716.[back](#)

[4] Council Directive 92/43 EEC; OJ No. L 206, 22.7.92, p.7.[back](#)

[5] OJ No. L 1, 1.1.95, p.1.[back](#)

[6] OJ No. L 305, 8.11.97, p.42.[back](#)

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