

STATUTORY INSTRUMENTS

1994 No. 2716

The Conservation (Natural Habitats, &c.) Regulations 1994

[^{F1}PART II

CONSERVATION OF NATURAL HABITATS AND HABITATS OF SPECIES

[^{F1}Register of European sites

Textual Amendments

- F1** Regulations revoked (E.W.) (1.4.2010 except so far as relating to the revocation in relation to W. of reg. 36 and specified words in reg. 3(3), 12.12.2014 in so far as not already in force) by [The Conservation of Habitats and Species Regulations 2010 \(S.I. 2010/490\)](#), regs. 1(2)(4)(b), **133(3)** (with regs. 125, 134)

Duty to compile and maintain register of European sites

11.—(1) The Secretary of State [^{F2}must make arrangements for the establishment and maintenance of] a register of European sites in Great Britain.

(2) [^{F3}The register must specify]—

- (a) special areas of conservation, as soon as they are designated by him;
- (b) sites of Community importance [^{F4}which before exit day were] placed on the list referred to in the third sub-paragraph of Article 4(2) of the Habitats Directive, until they are designated as special areas of conservation;

^{F5}(c)

- (d) areas classified by him pursuant to Article 4(1) or (2) of the Wild Birds Directive, as soon as they are so classified or, if they have been classified before the commencement of these Regulations, as soon as practicable after commencement [^{F6}; and]

[^{F7}(e) any site in Scotland which before exit day has been proposed to the European Commission in accordance with Article 4(1) of the Habitats Directive until such time as regulation 10(1) (e)(i) or (ii) applies.]

(3) He may, if appropriate, amend [^{F8}, or make arrangements for the amendment of,] the entry in the register relating to a European site.

(4) He shall remove [^{F9}, or make arrangements for the removal of] the relevant entry—

[^{F10}(a) relating to a site which is no longer a European site; or]

- (b) if a site otherwise ceases to fall within any of the categories listed in paragraph (2) above.

(5) [^{F11}The register must be] available for public inspection at all reasonable hours and free of charge.

[^{F12}(6) The arrangements mentioned in paragraph (1) may in particular authorise the appropriate nature conservation body to establish and maintain the register.]

Textual Amendments

- F2** Words in reg. 11(1) substituted (6.12.2019) by The Conservation (Natural Habitats, &c.) Amendment (No. 2) (Scotland) Regulations 2019 (S.S.I. 2019/320), regs. 1(1), **3(1)(a)**
- F3** Words in reg. 11(2) substituted (6.12.2019) by The Conservation (Natural Habitats, &c.) Amendment (No. 2) (Scotland) Regulations 2019 (S.S.I. 2019/320), regs. 1(1), **3(1)(b)**
- F4** Words in reg. 11(2)(b) substituted (31.12.2020) by The Conservation (Natural Habitats, &c.) (EU Exit) (Scotland) (Amendment) Regulations 2019 (S.S.I. 2019/113), regs. 1, **13(2)(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F5** Reg. 11(2)(c) omitted (31.12.2020) by virtue of The Conservation (Natural Habitats, &c.) (EU Exit) (Scotland) (Amendment) Regulations 2019 (S.S.I. 2019/113), regs. 1, **13(2)(b)**; 2020 c. 1, Sch. 5 para. 1(1)
- F6** Reg. 11(2)(e) and word inserted (S.) (29.11.2004) by The Conservation (Natural Habitats, &c.) Amendment (Scotland) Regulations 2004 (S.S.I. 2004/475), regs. 1(1), **7** (with regs. 20, 21)
- F7** Reg. 11(2)(e) substituted (31.12.2020) by The Conservation (Natural Habitats, &c.) (EU Exit) (Scotland) (Amendment) Regulations 2019 (S.S.I. 2019/113), regs. 1, **13(2)(c)**; 2020 c. 1, Sch. 5 para. 1(1)
- F8** Words in reg. 11(3) inserted (6.12.2019) by The Conservation (Natural Habitats, &c.) Amendment (No. 2) (Scotland) Regulations 2019 (S.S.I. 2019/320), regs. 1(1), **3(1)(c)**
- F9** Words in reg. 11(4) inserted (6.12.2019) by The Conservation (Natural Habitats, &c.) Amendment (No. 2) (Scotland) Regulations 2019 (S.S.I. 2019/320), regs. 1(1), **3(1)(d)**
- F10** Reg. 11(4)(a) substituted (31.12.2020) by The Conservation (Natural Habitats, &c.) (EU Exit) (Scotland) (Amendment) Regulations 2019 (S.S.I. 2019/113), regs. 1, **13(3)**; 2020 c. 1, Sch. 5 para. 1(1)
- F11** Words in reg. 11(5) substituted (6.12.2019) by The Conservation (Natural Habitats, &c.) Amendment (No. 2) (Scotland) Regulations 2019 (S.S.I. 2019/320), regs. 1(1), **3(1)(e)**
- F12** Reg. 11(6) inserted (6.12.2019) by The Conservation (Natural Habitats, &c.) Amendment (No. 2) (Scotland) Regulations 2019 (S.S.I. 2019/320), regs. 1(1), **3(1)(f)**

Commencement Information

- I1** Reg. 11 in force at 30.10.1994, see **reg. 1(2)**

Notification to appropriate nature conservation body

12.—(1) The Secretary of State shall notify the appropriate nature conservation body as soon as may be [^{F13}after—

- (a) a site becomes a European site;
- (b) the specification of a European site is amended;
- (c) a site ceases to fall within any of the categories listed in regulation 11(2).]

[^{F14}(2) Except where arrangements are made authorising the appropriate conservation body to establish and maintain the register, the notification under paragraph (1) of a site becoming a European site must be accompanied by a copy of the register entry.]

[^{F15}(3) Except where arrangements are made authorising the appropriate conservation body to establish and maintain the register, the notification under paragraph (1) of the amendment of the specification of a European site must be accompanied by a copy of the amended entry.]

(4) Each nature conservation body shall keep copies of the register entries relating to European sites in their area available for public inspection at all reasonable hours and free of charge.

Textual Amendments

- F13** Words in [reg. 12\(1\)](#) substituted (6.12.2019) by [The Conservation \(Natural Habitats, &c.\) Amendment \(No. 2\) \(Scotland\) Regulations 2019 \(S.S.I. 2019/320\)](#), regs. 1(1), **3(2)(a)**
- F14** [Reg. 12\(2\)](#) substituted (6.12.2019) by [The Conservation \(Natural Habitats, &c.\) Amendment \(No. 2\) \(Scotland\) Regulations 2019 \(S.S.I. 2019/320\)](#), regs. 1(1), **3(2)(b)**
- F15** [Reg. 12\(3\)](#) substituted (6.12.2019) by [The Conservation \(Natural Habitats, &c.\) Amendment \(No. 2\) \(Scotland\) Regulations 2019 \(S.S.I. 2019/320\)](#), regs. 1(1), **3(2)(c)**

Commencement Information

- I2** [Reg. 12](#) in force at 30.10.1994, see [reg. 1\(2\)](#)

Notice to landowners, relevant authorities, &c.

13.—(1) As soon as practicable after a nature conservation body receive notification under regulation 12 they shall give notice to—

- (a) every owner or occupier of land within the site,
- (b) every local planning authority in whose area the site, or any part of it, is situated, and
- (c) such other persons or bodies as the Secretary of State may direct.

(2) Notice of the inclusion of a site in the register, or of the amendment of an entry in the register, shall be accompanied by a copy of so much of the relevant register entry as relates to land owned or occupied by or, as the case may be, to land within the area of, the person or authority to whom the notice is given.

(3) The Secretary of State may give directions as to the form and content of notices to be given under this regulation.

Commencement Information

- I3** [Reg. 13](#) in force at 30.10.1994, see [reg. 1\(2\)](#)

Local registration: England and Wales

14. An entry in the register relating to a European site in England and Wales is a local land charge.

Commencement Information

- I4** [Reg. 14](#) in force at 30.10.1994, see [reg. 1\(2\)](#)

Local registers: Scotland

15.—(1) A planning authority in Scotland shall keep available at their principal office for free public inspection a register of all the European sites of which they have been given notice under regulation 13(1)(b).

(2) A planning authority in Scotland may keep available at any other of their offices for free public inspection such part of the register referred to in paragraph (1) as appears to them to relate to that part of their area in which such office is situated.

Changes to legislation: There are currently no known outstanding effects for the The Conservation (Natural Habitats, &c.) Regulations 1994, Cross Heading: Register of European sites. (See end of Document for details)

(3) A planning authority shall supply to any person, on payment of such reasonable fee as they may determine, a copy, certified by the proper officer of the authority to be a true copy, of any entry in the register kept by them under paragraph (1).]

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Commencement Information

I5 Reg. 15 in force at 30.10.1994, see [reg. 1\(2\)](#)

Changes to legislation:

There are currently no known outstanding effects for the The Conservation (Natural Habitats, &c.) Regulations 1994, Cross Heading: Register of European sites.