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SCOTTISH STATUTORY INSTRUMENTS

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**2019 No. 64**

**WILDLIFE**

**The Conservation (Natural Habitats, &c.)  
Amendment (Scotland) Regulations 2019**

*Made* - - - - - *20th February 2019*  
*Laid before the Scottish*  
*Parliament* - - - - - *22nd February 2019*  
*Coming into force* - - - - - *1st May 2019*

The Scottish Ministers make the following Regulations in exercise of the powers conferred by section 2(2) of the European Communities Act 1972(1) and all other powers enabling them to do so.

**Citation, commencement and extent**

1.—(1) These Regulations may be cited as the Conservation (Natural Habitats, &c.) Amendment (Scotland) Regulations 2019 and come into force on 1 May 2019.

(2) These Regulations extend to Scotland only.

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

2. Schedule 2 (European protected species of animals) of the Conservation (Natural Habitats, &c.) Regulations 1994(2) is amended as follows—

- (a) in the first column (common name) of the table, immediately below “Bats, Typical (all species)”, insert “Beaver, Eurasian or European”, and
- (b) in the second column (scientific name) of the table, immediately below “Vespertilionidae”, insert “Castor fiber”.

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(1) [1972 c.68](#). Section 2(2) was amended by the Scotland Act [1998 \(c.46\)](#) (“the 1998 Act”), schedule 8, paragraph 15(3) (which was amended by section 27(4) of the Legislative and Regulatory Reform Act [2006 \(c.51\)](#) (“the 2006 Act”). Section 2(2) was also amended by section 27(1)(a) of the 2006 Act and by the European Union (Amendment) Act [2008 \(c.7\)](#), schedule 1, Part 1. The functions conferred upon the Minister of the Crown under section 2(2), insofar as within devolved competence, were transferred to the Scottish Ministers by virtue of section 53 of the 1998 Act.

(2) [S.I. 1994/2716](#).

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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St Andrew's House, Edinburgh  
20th February 2019

*ROSEANNA CUNNINGHAM*  
A member of the Scottish Government

## EXPLANATORY NOTE

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

These Regulations amend the Conservation (Natural Habitats, &c.) Regulations 1994 (“the 1994 Regulations”), which make provision for the transposition of Council [Directive 92/43/EEC](#) on the conservation of natural habitats and of wild fauna and flora (OJ L 206, 22.7.1992, p.7).

Regulation 2 amends schedule 2 of the 1994 Regulations to add the Eurasian Beaver (otherwise known as the European Beaver) to the list of European Protected Species of Animals that are given protection under the 1994 Regulations.