
SCOTTISH STATUTORY INSTRUMENTS

2011 No. 419

NATURE CONSERVATION

**The Nature Conservation (Scotland) Act
2004 (Authorised Operations) Order 2011**

Made - - - - 23rd November 2011
*Laid before the Scottish
Parliament* - - - - 25th November 2011
Coming into force - - 13th January 2012

The Scottish Ministers make the following Order in exercise of the powers conferred by sections 14(1)(f) and 17(1)(f) of the Nature Conservation (Scotland) Act 2004⁽¹⁾ and all other powers enabling them to do so.

Citation and commencement

1. This Order may be cited as the Nature Conservation (Scotland) Act 2004 (Authorised Operations) Order 2011 and comes into force on 13th January 2012.

Authorised Operations

2.—(1) The operations in paragraph (2) are described for the purposes of sections 14(1)(f) and 17(1)(f) of the Nature Conservation (Scotland) Act 2004.

(2) The described operations are any activity undertaken in accordance with—

- (a) the Rural Development Contracts (Rural Priorities) (Scotland) Regulations 2008⁽²⁾ in respect of which the Scottish Ministers have approved the granting of aid;
- (b) a licence granted under section 23C of the Hill Farming Act 1946⁽³⁾;
- (c) a species control order in terms of sections 14D to 14P of the Wildlife and Countryside Act 1981⁽⁴⁾;
- (d) a licence granted by Scottish Natural Heritage under section 16 of the Wildlife and Countryside Act 1981; or

(1) 2004 asp 6. Subsections (1)(f) are inserted into sections 14 and 17 by section 39 of the Wildlife and Natural Environment (Scotland) Act 2011 (asp 6) (“the 2011 Act”).

(2) S.S.I. 2008/100. As amended by section 1 of the Crofting Reform (Scotland) Act 2010 (asp 14) and by S.S.I. 2008/233, 2009/1, 233, 335 and 411 and 2010/97, 222 and 322.

(3) 1946 c.73. Section 23C is inserted by section 34 of the 2011 Act.

(4) 1981 c.69. Sections 14D to 14P are prospectively inserted by section 16 of the 2011 Act.

Status: This is the original version (as it was originally made).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

- (e) a licence granted by Scottish Natural Heritage under regulation 44 of the Conservation (Natural Habitats, &c.) Regulations 1994⁽⁵⁾.

St Andrew's House,
Edinburgh
23rd November 2011

STEWART STEVENSON
Authorised to sign by the Scottish Ministers

⁽⁵⁾ S.I. 1994/2716. Relevant amendments are made by S.I. 2007/1843 and 2009/1307 and 2438 and by S.S.I. 2004/475, 2007/80, 349, 485, 517 and 570, 2008/17, 425 and 427, 2009/222 and 343 and 2011/155. Scottish Natural Heritage are the appropriate nature conservation body by virtue of regulation 4.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order describes operations affecting a site of special scientific interest which do not require the consent of Scottish Natural Heritage under sections 13 (operations by public bodies etc.) and 16 (operations by owners or occupiers of sites of special scientific interest) of the Nature Conservation (Scotland) Act 2004.