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SCOTTISH STATUTORY INSTRUMENTS

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**2007 No. 80**

The Conservation (Natural Habitats, &c.)  
Amendment (Scotland) Regulations 2007

PART II

AMENDMENTS TO THE CONSERVATION  
(NATURAL HABITATS, &c.) REGULATIONS 1994

24. After regulation 104 (savings for other protective provisions) insert—

**“Application of criminal offences to the Crown**

**104A.**—(1) No contravention by the Crown of any provision of these Regulations makes the Crown criminally liable; but the Court of Session may, on the application of any public body or office holder having responsibility for enforcing that provision, declare unlawful any act or omission of the Crown which constitutes such a contravention.

(2) Despite paragraph (1), the provisions of these Regulations apply to persons in the public service of the Crown as they apply to other persons.”