The Scottish Ministers make the following Regulations in exercise of the powers conferred by section 2(2) of the European Communities Act 1972(a) 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.

2. Schedule 2 (European protected species of animals) of the Conservation (Natural Habitats, &c.) Regulations 1994(b) 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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(a) 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.

(b) S.I. 1994/2716.
EXPLANATORY NOTE
(This note is not part of the Regulations)


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.

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