



Countryside and Rights of Way Act 2000

2000 CHAPTER 37

PART III

NATURE CONSERVATION AND WILDLIFE PROTECTION

Biological diversity

74 Conservation of biological diversity

- (1) It is the duty of—
 - (a) any Minister of the Crown (within the meaning of the Ministers of the Crown Act 1975),
 - (b) any Government department, and
 - (c) the National Assembly for Wales,in carrying out his or its functions, to have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biological diversity in accordance with the Convention.
- (2) The Secretary of State, as respects England, and the National Assembly for Wales, as respects Wales, shall each publish a list of, or lists which together comprise, the living organisms and types of habitat which in the opinion of the Secretary of State or the Assembly (as the case may be) are of principal importance for the purpose mentioned in subsection (1).
- (3) Without prejudice to subsection (1), it is the duty of a listing authority to take, or to promote the taking by others of, such steps as appear to the authority to be reasonably practicable to further the conservation of the living organisms and types of habitat included in any list published by the authority under this section.
- (4) Before publishing the list or lists required by subsection (2) the listing authority shall consult the appropriate conservation body as to the living organisms or types of habitat to be included in the list or lists.
- (5) Each listing authority shall, in consultation with the appropriate conservation body—

Status: This is the original version (as it was originally enacted).

- (a) keep under review any list published by the authority under this section,
 - (b) make such revisions of any such list as appear to the authority to be appropriate, and
 - (c) publish any list so revised.
- (6) A duty under this section to publish a list is a duty to publish it in such manner as the listing authority thinks fit.
- (7) In this section—
- “appropriate conservation body” means—
 - (a) as respects England, English Nature,
 - (b) as respects Wales, the Countryside Council for Wales;
 - “biological diversity” has the same meaning as in the Convention;
 - “conservation” in relation to a living organism or type of habitat, includes the restoration or enhancement of a population or habitat;
 - “the Convention” means the United Nations Environmental Programme Convention on Biological Diversity of 1992;
 - “habitat” has the same meaning as in the Convention;
 - “listing authority”—
 - (a) in relation to a list which the Secretary of State is required to publish under this section, means the Secretary of State;
 - (b) in relation to a list which the National Assembly for Wales is required to publish under this section, means the National Assembly for Wales.