
STATUTORY INSTRUMENTS

2010 No. 490

**WILDLIFE
COUNTRYSIDE**

The Conservation of Habitats and Species Regulations 2010

Made - - - - 1st March 2010
Laid before Parliament 8th March 2010
Laid before the National
Assembly for Wales - - 8th March 2010
Coming into force in accordance with regulation 1(2),
(3) and (4)

The Secretary of State is designated⁽¹⁾ for the purposes of section 2(2) of the European Communities Act 1972⁽²⁾ in relation to the environment, and the Welsh Ministers are designated⁽³⁾ for those purposes in relation to the conservation of natural habitats and of wild fauna and flora.

In exercise of the powers conferred on them by section 2(2) of the European Communities Act 1972 and paragraph 1A of Schedule 2⁽⁴⁾ to that Act, and by section 307(3) and (5) of the Criminal Justice Act 2003⁽⁵⁾, the Secretary of State and the Welsh Ministers make these Regulations, the Welsh Ministers in relation to Wales, to the extent that they are designated to do so, and the Secretary of State in relation to every other aspect.

These Regulations make provision for a purpose mentioned in section 2(2) of the European Communities Act 1972 and it appears to the Secretary of State and to the Welsh Ministers that it is expedient for any reference in these Regulations to an Annex to Council Directive 92/43/EEC (on the conservation of natural habitats and of wild fauna and flora⁽⁶⁾) to be construed as a reference to that Annex as amended from time to time.

(1) S.I. 2008/301.

(2) 1972 c. 68.

(3) S.I. 2002/248. The designation is subject to the exceptions set out in Schedule 2 to that Order. The functions conferred on the National Assembly for Wales by means of that Order are now exercisable by the Welsh Ministers, by virtue of paragraph 30 of Schedule 11 to the Government of Wales Act 2006 (c. 32).

(4) Paragraph 1A of Schedule 2 was inserted by section 28 of the Legislative and Regulatory Reform Act 2006 (c. 51).

(5) 2003 c. 44.

(6) OJ No L 206, 22.7.1992, p. 7, last amended by Council Directive 2006/105/EC (OJ No L 363, 20.12.2006, p. 368).