
STATUTORY INSTRUMENTS

2012 No. 1927

**The Conservation of Habitats and
Species (Amendment) Regulations 2012**

Amendment of regulation 3

- 4.—(1) Regulation 3 (interpretation) is amended as follows.
- (2) In paragraph (1)—
- (a) for the definition of “the appropriate authority” substitute—

““the appropriate authority” means the Secretary of State in relation to England and the Welsh Ministers in relation to Wales (but see modifications of the meaning of that term in regulations 9(4) and 9A(12)(a), and modifications of references to that term in regulations 67(1)(b), (3)(c), (5) and (8)(b), 94(6), 106(3)(b) and 107A(3)(c)), and any person exercising any function of the Secretary of State or the Welsh Ministers;”;
 - (b) after the definition of “the devolved administrations” insert—

““the Directives” means the Habitats Directive and the new Wild Birds Directive;”;
 - (c) in the definition of “marine area”, for “regulation 9(8)” substitute “regulations 9(5) and 9A(12)(b)”;
 - (d) after the definition of “the new Wild Birds Directive” insert—

““Northern Ireland inshore region” means the area of sea within the seaward limits of the territorial sea adjacent to Northern Ireland;”;
 - (e) in the definition of “the WCA 1981”, at the end omit “and”;
 - (f) in the definition of “Welsh inshore region”, for “Wales.” substitute “Wales;”;
 - (g) after the definition of “Welsh inshore region” insert—

““wild bird” means a bird which is—

 - (a) a member of a species referred to in Article 1 of the new Wild Birds Directive, and
 - (b) wild.”.
- (3) In paragraph (6)—
- (a) at the end of sub-paragraph (c), omit “and”;
 - (b) in sub-paragraph (d), for “Scottish inshore region.” substitute “Scottish inshore region;”;
 - (c) after sub-paragraph (d) add—

“(e) any reference to Northern Ireland includes the Northern Ireland inshore region; and

(f) any reference to the United Kingdom includes its internal waters and the English inshore region, the Welsh inshore region, the Scottish inshore region and the Northern Ireland inshore region.”.
- (4) In paragraph (7)—

- (a) in sub-paragraph (a), for ““Welsh inshore region” and “Scottish inshore region”” substitute ““Welsh inshore region”, “Scottish inshore region” and “Northern Ireland inshore region””;
 - (b) at the end of sub-paragraph (a), omit “or”; and
 - (c) for sub-paragraph (b) substitute—
 - “(b) paragraph (8); or
 - (c) regulation 4(2)(a)(ii).”.
- (5) In paragraph (8)—
- (a) for sub-paragraph (a) substitute—
 - “(a) the territorial sea adjacent to England is so much of the territorial sea adjacent to the United Kingdom as is not the territorial sea adjacent to Wales, the territorial sea adjacent to Scotland or the territorial sea adjacent to Northern Ireland;”;
 - (b) in sub-paragraph (b)—
 - (i) for ““the sea adjacent to Wales”” substitute ““the territorial sea adjacent to Wales””, and
 - (ii) at the end, omit “and”;
 - (c) in sub-paragraph (c)—
 - (i) for ““the sea adjacent to Scotland”” substitute ““the territorial sea adjacent to Scotland””, and
 - (ii) at the end, for “Order 1999.” substitute “Order 1999; and”; and
 - (d) after sub-paragraph (c) add—
 - “(d) “the territorial sea adjacent to Northern Ireland” is to be construed in accordance with article 2 of the Adjacent Waters Boundaries (Northern Ireland) Order 2002(1).”.