
STATUTORY INSTRUMENTS

2017 No. 1013

The Conservation of Offshore Marine
Habitats and Species Regulations 2017

PART 3

PROTECTION OF SPECIES

Application of offences in Part 3

39.—(1) Subject to paragraphs (2) and (3), regulations 40, 42, 43, 45, 47 and 49 (in so far as they are capable of so applying) apply to any person—

- (a) in any part of the waters comprised in the offshore marine area;
- (b) on a ship in any part of the waters comprised in the offshore marine area;
- (c) on a British aircraft over the waters comprised in the offshore marine area;
- (d) on or under an offshore marine installation; or
- (e) on any aircraft above an offshore marine installation, in so far as the presence of the aircraft above that installation is for purposes connected with the use of the installation.

(2) Regulations 40, 42, 43 and 49 do not apply to any person on a third country ship.

(3) Regulation 45(3) only applies in relation to a person on a third country ship where—

- (a) the animal in question is a relevant animal; or
- (b) the part in question is from, or the thing in question is derived from, a relevant animal.

(4) In paragraph (3) “a relevant animal” is an animal of a European protected species which was taken or killed in any part of the waters within British fishery limits.