
STATUTORY INSTRUMENTS

2017 No. 1013

**The Conservation of Offshore Marine
Habitats and Species Regulations 2017**

PART 2

CONSERVATION OF NATURAL HABITATS AND HABITATS OF SPECIES

European offshore marine sites

List of sites eligible for identification as of Community importance

7.—(1) The Secretary of State must transmit to the Commission a list of those sites in the offshore marine area which the Secretary of State regards as eligible for selection as sites of Community importance.

(2) The Scottish Ministers must transmit to the Secretary of State a list of those sites in the Scottish offshore region which they regard as eligible for selection as sites of Community importance.

(3) The Welsh Ministers must transmit to the Secretary of State a list of those sites in the Welsh offshore region which they regard as eligible for selection as sites of Community importance.

(4) The Secretary of State must select the sites to be included in the list under paragraph (1) only on the basis of the criteria set out in Annex III (Stage 1) to the Habitats Directive and relevant scientific information.

(5) The Scottish Ministers must select the sites to be included in the list under paragraph (2) only on the basis of the criteria set out in Annex III (Stage 1) to the Habitats Directive and relevant scientific information.

(6) The Welsh Ministers must select the sites to be included in the list under paragraph (3) only on the basis of the criteria set out in Annex III (Stage 1) to the Habitats Directive and relevant scientific information.

(7) A site may only be included in the list under paragraph (1), (2) or (3) if—

- (a) it hosts a natural habitat type listed in Annex I to the Habitats Directive; or
- (b) it hosts a species listed in Annex II to the Habitats Directive which has a natural range including any part of the offshore marine area.

(8) In respect of an aquatic species which ranges over wide areas, a site is only eligible to be selected if it appears to the Secretary of State, the Scottish Ministers or the Welsh Ministers (as the case may be), under paragraph (4), (5) and (6) respectively, to constitute a clearly identifiable area which is distinct in providing the physical and biological features essential to that species for life and reproduction.

(9) The list transmitted to the Secretary of State under paragraph (2) or (3) and the list transmitted to the Commission under paragraph (1) must—

- (a) in respect of each site indicate which natural habitat types specified in Annex I and species specified in Annex II to the Habitats Directive the site hosts; and

- (b) be accompanied with information on each site including—
 - (i) a chart of the site;
 - (ii) its name, location and extent; and
 - (iii) the data resulting from application of the criteria specified in Annex III (Stage 1) to the Habitats Directive.
- (10) The information specified in paragraph (9)(b) must be provided in such format as is established by the Commission.