
DRAFT SCOTTISH STATUTORY INSTRUMENTS

2007 No.

**The Conservation (Natural Habitats, &c.)
Amendment (Scotland) Regulations 2007**

PART II

**AMENDMENTS TO THE CONSERVATION
(NATURAL HABITATS, &c.) REGULATIONS 1994**

9. After regulation 37 (nature conservation policy in planning contexts) insert—

“Surveillance of conservation status of habitats and species

37A.—(1) The Scottish Ministers shall make arrangements for the carrying out of surveillance of the conservation status of natural habitats of Community interest and species of Community interest, and in particular priority natural habitat types and priority species.

(2) Where, in the case of any species of wild fauna and flora listed in Annex V to the Habitats Directive, the Scottish Ministers consider that the results of surveillance under paragraph (1) makes it necessary to do so, they shall make arrangements for ensuring that the taking in the wild of specimens of such species, and their exploitation, is compatible with their being maintained at favourable conservation status.

(3) The arrangements to be made under paragraph (2) shall include arrangements for the carrying out of surveillance of the conservation status of the species in question, for the purpose of establishing whether the taking in the wild of specimens of such species, and their exploitation, is compatible with their being maintained at favourable conservation status.

(4) The Scottish Ministers shall, from time to time, review the arrangements they have made under paragraphs (1), (2) or (3) and if they think it appropriate, revise those arrangements.”.