
SCOTTISH STATUTORY INSTRUMENTS

2008 No. 425

**The Conservation (Natural Habitats, &c.)
Amendment (No. 2) (Scotland) Regulations 2008**

Regulation 37A

3. In regulation 37A (surveillance of conservation status of habitats and species)(1)–
- (a) in paragraph (1) after “arrangements” insert “in accordance with paragraphs (5) to (7)”; and
 - (b) after paragraph (4) insert–
 - “(5) The arrangements made by the Scottish Ministers under paragraph (1) shall ensure that Scottish Natural Heritage implements a strategy for the surveillance of the conservation status of relevant habitats and species in Scotland.
 - (6) In implementing that strategy Scottish Natural Heritage shall–
 - (a) assess how and to what extent surveillance of the conservation status of relevant habitats and species needs to be carried out, having regard to–
 - (i) whether a habitat or species is a priority natural habitat type or a priority species; and
 - (ii) the conservation status of the habitat or species; and
 - (b) ensure that surveillance is carried out on an ongoing basis.
 - (7) Surveillance for the purposes of this regulation may be carried out by–
 - (a) Scottish Natural Heritage; or
 - (b) any other body or person pursuant to an agreement with Scottish Natural Heritage, provided that Scottish Natural Heritage is satisfied as to the standards and methods of surveillance used by that body or person.
 - (8) In paragraphs (5) and (6) a relevant habitat or species means a habitat or species of a type referred to in paragraph (1).”.