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SCOTTISH STATUTORY INSTRUMENTS

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**2019 No. 364**

**WILDLIFE**

**The Conservation (Natural Habitats, &c.) (Miscellaneous Amendments) (Scotland) Regulations 2019**

*Made - - - - 31st October 2019*

*Coming into force in accordance with regulation 1(2)*

The Scottish Ministers make the following Regulations in exercise of the powers conferred by section 2(2) and paragraph 1A of schedule 2 of the European Communities Act 1972<sup>(1)</sup> (“the 1972 Act”) and all other powers enabling them to do so.

In accordance with paragraph 2(2) of schedule 2 of the 1972 Act, a draft of this instrument has been laid before and approved by resolution of the Scottish Parliament.

These Regulations make provision for a purpose mentioned in section 2(2) of the 1972 Act and it appears to the Scottish Ministers that it is expedient for the references in these Regulations to the list of invasive alien species of Union concern adopted by the European Commission in accordance with Articles 4(1) and 10(4) of Regulation (EU) No 1143/2014 of the European Parliament and of the Council on the prevention and management of the introduction and spread of invasive alien species<sup>(2)</sup> to be construed as references to that list as amended from time to time.

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(1) 1972 c.68. Section 2(2) was amended by paragraph 15(3) of schedule 8 of the Scotland Act 1998 (c.46) (“the 1998 Act”) (which was amended by section 27(4) of the Legislative and Regulatory Reform Act 2006 (c.51) (“the 2006 Act”). Section 2(2) was also amended by section 27(1)(a) of the 2006 Act and by section 3(3) and Part 1 of the schedule of the European Union (Amendment) Act 2008 (c.7) (“the 2008 Act”). The functions conferred upon the Minister of the Crown under section 2(2), insofar as exercisable within devolved competence, were transferred to the Scottish Ministers by virtue of section 53 of the 1998 Act. Paragraph 1A of schedule 2 was inserted by section 28 of the 2006 Act and was relevantly amended by Part 1 of the schedule of the 2008 Act. Section 2(2) and paragraph 1A of schedule 2 are prospectively repealed by section 1 of the European Union (Withdrawal) Act 2018 (c.16) from exit day (see section 20 of that Act).

(2) OJ L 317, 4.11.2014, p.35.