
STATUTORY INSTRUMENTS

2017 No. 1012

The Conservation of Habitats and Species Regulations 2017

PART 7

Enforcement

Codes of practice

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- 126.**—(1) The appropriate authority may—
- (a) issue a code of practice in connection with any of the provisions of regulations 114, 116, 120, 121, 124 and 125; and
 - (b) revise or replace such a code.
- (2) In discharging any function under the regulations specified in paragraph (1)(a)—
- (a) a wildlife inspector authorised by the Secretary of State must have regard to any relevant provision of a code issued by the Secretary of State;
 - (b) a wildlife inspector authorised by the Welsh Ministers must have regard to any relevant provision of a code issued by them.
- (3) But a wildlife inspector's failure to have regard to any provision of a code does not make that inspector liable to criminal or civil proceedings.
- (4) A code—
- (a) is admissible in evidence in any proceedings; and
 - (b) must be taken into account by any court in any case in which it appears to the court to be relevant.