

## STATUTORY INSTRUMENTS

# 2017 No. 1012

## The Conservation of Habitats and Species Regulations 2017

### PART 2

#### Conservation of Natural Habitats and Habitats of Species

##### *Management agreements*

##### **Existing agreements**

**21.**—(1) For the purposes of these Regulations, any agreement made before 30th November 2017 in relation to land in England or Wales which on or after that date becomes land within a European site, or adjacent to such a site, being an agreement made under—

- (a) section 16 of the 1949 Act (agreements for management of nature reserves) <sup>M1</sup>,
- (b) section 15 of the Countryside Act 1968 (areas of special scientific interest) <sup>M2</sup>, or
- (c) section 7 of the Natural Environment and Rural Communities Act 2006 (management agreements) <sup>M3</sup>,

has effect as from the date on which the land becomes land within a European site as if it were a management agreement entered into by Natural England or the Natural Resources Body for Wales (as the case may be) under regulation 20.

(2) Any other thing done or deemed to have been done under—

- (a) any provision of Part 3 of the 1949 Act (nature conservation), or Part 6 of that Act (general, financial and supplementary) so far as it applies for the purposes of Part 3, or
- (b) section 15 of the Countryside Act 1968,

in respect of any land prior to that land becoming land within a European site, or adjacent to such a site, continues to have effect as if done under the corresponding provision of these Regulations.

(3) Any reference in a relevant enactment to a nature reserve within the meaning of section 15 of the 1949 Act (meaning of “nature reserve”) <sup>M4</sup> is to be construed as including a reference to a European site.

(4) In paragraph (3), “relevant enactment” means an enactment not contained in, or in an instrument made under, the 1949 Act or the WCA 1981.

##### **Marginal Citations**

- M1** Section 16 was amended by the [Natural Environment and Rural Communities Act 2006 \(c. 16\)](#), [Schedule 11, paragraph 14](#); and the [Environment \(Wales\) Act 2016 \(anaw 3\)](#), [Schedule 2, Part 1, paragraph 1\(1\)](#) and (3).
- M2** 1968 c. 41. Section 15 was amended by the [WCA 1981](#), section 72(8); the [Environmental Protection Act 1990 \(c. 43\)](#), [Schedule 9, paragraph 4\(2\)](#) and [Schedule 16, Part 6](#); the [Countryside and Rights of Way Act 2000 \(c. 37\)](#), [section 75\(3\)](#); the [Natural Environment and Rural Communities Act 2006](#),

**Status:** Point in time view as at 30/11/2017.

**Changes to legislation:** The Conservation of Habitats and Species Regulations 2017, Section 21 is up to date with all changes known to be in force on or before 01 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Schedule 11, paragraph 48; the Environment (Wales) Act 2016, Schedule 2, paragraph 2(1) and (3); and S.I. 2013/755 (W. 90).

**M3** 2006 c. 16.

**M4** Section 15 was substituted by the Natural Environment and Rural Communities Act 2006, Schedule 11, paragraph 12.

**Status:**

Point in time view as at 30/11/2017.

**Changes to legislation:**

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