
STATUTORY INSTRUMENTS

2017 No. 1013

**The Conservation of Offshore Marine
Habitats and Species Regulations 2017**

PART 2

CONSERVATION OF NATURAL HABITATS AND HABITATS OF SPECIES

European offshore marine sites

Designation of special areas of conservation

11.—(1) Once a site located in the offshore marine area has been adopted by the Commission as a site of Community importance in accordance with the third sub-paragraph of Article 4(2) of the Habitats Directive, the relevant administration must designate that site as a special area of conservation as soon as possible and within six years of such adoption at the most.

(2) The relevant administration must establish priorities for any site which it designates under paragraph (1), in the light of—

(a) the importance of the site—

(i) for the maintenance or restoration at a favourable conservation status of natural habitat types specified in Annex I to the Habitats Directive or species specified in Annex II to that Directive; and

(ii) for the coherence of Natura 2000; and

(b) the threats of degradation or destruction to which the site is exposed.

(3) In this regulation “the relevant administration” means—

(a) in relation to a site within the Scottish offshore region, the Scottish Ministers;

(b) in relation to a site within the Welsh offshore region, the Welsh Ministers; and

(c) in any other case, the Secretary of State.

(4) In relation to a site which before these Regulations come into force has been the subject of a proposal under regulation 8(1) of the Offshore Marine (Natural Habitats, &c.) Regulations 2007⁽¹⁾, paragraph 3(b) applies for the purpose of paragraph (1) as if for “the Welsh Ministers” there were substituted “the Secretary of State”.

(5) Where in relation to a particular site the relevant administration is for the purposes of paragraph (1) the Secretary of State and for the purposes of paragraph (2) the Welsh Ministers, paragraph (2) applies, after the designation of the site, as if the site had been designated by the Welsh Ministers.

⁽¹⁾ S.I. 2007/1842, as amended by S.I. 2009/7, S.I. 2010/490, S.I. 2010/491, S.I. 2010/1513, S.I. 2011/2043, S.I. 2012/1809, S.I. 2012/1928, S.I. 2013/755, S.I. 2015/191, S.I. 2016/912, S.S.I. 2007/485 and SSI 2015/320.

Status: *This is the original version (as it was originally made).*
