
STATUTORY INSTRUMENTS

2024 No. 48

**The Biodiversity Gain Requirements
(Irreplaceable Habitat) Regulations 2024**

Definition of “irreplaceable habitat”.

2.—(1) For the purposes of Part 2 of Schedule 7A, “irreplaceable habitat” means any habitat of a description specified in the first column of the tables in the Schedule.

(2) In Table 1 in the Schedule, each description of habitat has the same meaning as in the list published by the Secretary of State under section 41 of the Natural Environment and Rural Communities Act 2006(1) (“the List”).

(3) In Table 2 in the Schedule, each description of habitat in column 1 is to be construed in accordance with the provision in the corresponding position in column 2.

(4) Natural England may issue guidance for the purpose of identifying whether a habitat falls within the descriptions in the tables in the Schedule.

(1) 2006 c. 16; the list published under section 41 can be accessed at <https://www.gov.uk/government/publications/habitats-and-species-of-principal-importance-in-england> and a hard copy may be obtained from DEFRA Helpline, Seacole Building, 2 Marsham Street, London SW1P 4DF.