

## SCHEDULE 1

Damage to protected species, natural habitats and sites of special scientific interest

### Express authorisation

[<sup>F1</sup>5.—(1) Damage to a protected species or natural habitat and damage to a site of special scientific interest does not include damage caused by an act expressly authorised by the relevant authorities in accordance with—

- (a) the Conservation (Natural Habitats, &c.) Regulations 1994;
- (b) the Offshore Petroleum Activities (Conservation of Habitats) Regulations 2001;
- (c) the Conservation of Habitats and Species Regulations 2010;
- (d) the Conservation of Habitats and Species Regulations 2017;
- (e) the Conservation of Offshore Marine Habitats and Species Regulations 2017.

(2) Damage to sites of special scientific interest does not include, in the case of a site that is not a European site damage caused by an act expressly authorised by the relevant authorities in accordance with Part 2 of the Wildlife and Countryside Act 1981.

(3) In sub-paragraph (2), “European site” has the same meaning as in regulation 8 of the Conservation of Habitats and Species Regulations 2017.]

#### Textual Amendments

- F1** Sch. 1 para. 5 substituted (17.12.2018) by [The Environment, Planning and Rural Affairs \(Miscellaneous Amendments\) \(Wales\) Regulations 2018 \(S.I. 2018/1216\)](#), regs. 1(3), **8(3)**

**Changes to legislation:**

There are currently no known outstanding effects for the The Environmental Damage (Prevention and Remediation) (Wales) Regulations 2009, Paragraph 5.