

# **NATURE CONSERVATION (SCOTLAND) BILL**

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## **POLICY MEMORANDUM**

### **INTRODUCTION**

1. This document relates to the Nature Conservation (Scotland) Bill introduced in the Scottish Parliament on 29 September 2003. It has been prepared by the Scottish Executive to satisfy Rule 9.3.3(c) of the Parliament's Standing Orders. The contents are entirely the responsibility of the Scottish Executive and have not been endorsed by the Parliament. Explanatory Notes and other accompanying documents are published separately as SP Bill 9–EN.

### **POLICY OBJECTIVES OF THE BILL - BACKGROUND**

2. The Bill implements the policy proposals originally set out in the Scottish Executive consultation paper *The Nature of Scotland* published in March 2001. This policy statement derived largely from The Scottish Office consultation paper *People and Nature: A New Approach to SSSI Designations in Scotland*, published in November 1998. Since these two consultations, detailed policy work has been undertaken in collaboration with all the key stakeholders to convert *The Nature of Scotland* policy objectives into specific legislative provisions. These provisions and detailed policy proposals on wildlife crime measures were themselves consulted upon in March 2003 and have subsequently led to further policy refinements, informed by further in depth dialogue with key stakeholders.

3. This Bill fulfils a *Working together for Scotland: A Programme for Government* commitment made during the 1999-2003 Parliamentary session to “improve the system of nature conservation” and “to work with local communities to achieve effective protection” for Scotland’s natural heritage. That commitment was restated in *A Partnership Agreement for a Better Scotland: Partnership Agreement*. The agreement promises that “we will take strong action to reduce environmental crime through legislation on nature conservation”.

4. The new system for nature conservation in Scotland presented in the Bill is intended to acknowledge the needs of both people and nature. It is intended to be a system which achieves the right balance between sometimes-competing interests which must ultimately be reconciled in pursuit of the wider public good.

5. One of the key aims of the new Bill is therefore to clarify the rights and obligations of both land-managers and public authorities. The Bill seeks to provide certainty and fairness where previously there were grey areas and, sometimes, serious public concern.

6. The Bill will deliver important legislative enhancements in three key areas. It contains provisions which are designed to secure:

- the conservation of biodiversity (which is itself a key indicator of sustainability);
- a more transparent and effective system of protection for sites of special scientific interest (SSSIs); and
- improved measures to secure species protection and tackle wildlife crime.

7. The Scottish Executive has recognised that nature conservation policy objectives cannot be achieved in a vacuum and that it will never be possible to protect and preserve Scotland's natural heritage effectively if the legitimate concerns of individuals, and the economic needs of local communities, are not also acknowledged. The importance of reconciling environmental priorities with legitimate socio-economic expectations is something which needs to be at the heart of natural heritage policy-making.

8. For that reason, much effort has gone into revising the SSSI system - so as to retain the strengths of an approach based on objective scientific criteria, whilst at the same time, ensuring that local stakeholders can input effectively into decisions about the selection, notification and subsequent management of SSSIs.

9. The result is a set of initiatives which are designed to enhance the capacity of the system to protect and preserve important sites. It will also provide greater transparency and a clearer balance between the rights and obligations of land managers on the one hand and the wider public interest on the other.

10. The Bill will, as a consequence, significantly enlarge the list of stakeholders who must be consulted when a new SSSI is identified or an existing one extended. It will create a statutory requirement for every new notification of a SSSI to be supported by a site management statement, thereby allowing socio-economic concerns to be addressed at an early stage. The Bill will also establish a new mechanism for appeal by engaging the expertise and specialist skills of the Scottish Land Court, which is widely recognised as a body that is uniquely placed to deal credibly and effectively with issues of land management practice and questions of payment and compensation.

### **The core policy themes - summary**

11. The ultimate policy objective - improved protection for Scotland's natural heritage - will be achieved by tough new legal protection for designated sites and further enhancements to measures dealing with wildlife crime. The Bill also provides a framework for better consultation, closer involvement and appropriate financial support for owners and occupiers of land and for local communities.

12. To this end, the Bill will overhaul the current SSSI arrangements for safeguarding key natural heritage sites in Scotland. SSSIs are currently regulated by the Wildlife and Countryside Act 1981 ("the 1981 Act"). The Bill does not deal directly with the Natura 2000 network of sites of European importance (under the EC Birds and Habitats Directives). But most Natura sites are

also SSSIs and will benefit from the additional legal protection provided to national (i.e. SSSI) sites.

13. Wildlife crime provisions which improve Part I of the 1981 Act will build upon the delivery in the first session of Parliament of custodial sentences and other initiatives on wildlife crime (via the Criminal Justice (Scotland) Act 2003).

14. In addition the Bill creates a new general duty on public authorities to further the conservation of biodiversity in accordance with the 1992 Rio Convention and with a new Scottish Biodiversity Strategy.

## **POLICY OBJECTIVES OF THE BILL - SPECIFICS**

### **Biodiversity**

15. The Scottish Executive's intention is to provide statutory recognition and protection for the variety of all living things, including the habitats that support them and genetic variation within species. The intention is to emphasise biodiversity as both an essential resource for sustainable development and a measure of success in delivering sustainability. The Bill also acknowledges explicitly Scotland's commitments to the UN Convention on Biological Diversity, signed in 1992 following the Rio Earth Summit as well as European law.

16. The Scottish Executive is already leading the way by placing the closely-related concepts of sustainability and environmental justice at the heart of public policy making. The Bill acknowledges the fundamental importance of biodiversity by leading, in Part 1 of the Bill, with provisions which address the need for an integrated approach by the public sector to biodiversity conservation.

17. Section 1 of the Bill introduces a general biodiversity duty which will apply to all Scottish public bodies and office holders. That duty will be one which obliges all public authorities to "further the conservation of biodiversity" in the course of exercising their functions (but without prejudice to the proper exercise of those functions). In doing so each public body will require to have regard to the Rio Convention and to act with reference to the aims and objectives of the new Scottish Biodiversity Strategy.

18. The policy intention is to create a robust and practical duty which builds upon the wide-ranging initiatives and efforts of people and organisations across the public sector in Scotland. Indeed, it will provide an exhortation to action which should find resonance beyond the public sector. Much is already being done by private and charitable organisations on a "good corporate citizenship" basis. Although it will not apply directly to such non-public bodies, the new duty will provide a benchmark against which many outside the public sector can also measure their efforts.

### **SSSI reforms**

19. Part II of the 1981 Act makes detailed provision for the establishment of SSSIs and their subsequent protection. This has established a SSSI system which has provided a baseline for

wider conservation efforts in Scotland and an underpinning framework for the network of sites of European importance which have been designated under the Natura 2000 initiative. However, the policy intention has been for some time to bring about significant modernisation and enhancement of the SSSI system. There is, for example, a clear need for greater transparency, wider consultation and access to new dispute-resolution processes. The degree of protection which SSSIs enjoy needs to be improved, whilst the day-to-day burdens on land managers need to be kept to a minimum. There is a need to ensure that public money is used as effectively as possible. And public concern about excessive compensation payments to buy-off large speculative developments on SSSIs has to be acknowledged.

20. The SSSI provisions of this Bill will therefore revise and replace the bulk of Part II of the existing 1981 Act. The component policy objectives are therefore as follows:

*Statutory purpose for SSSIs*

21. SSSIs are notified because they contain natural heritage features which are of special interest. However, SSSIs should also be viewed in a wider context, as part of a series of important sites. The Bill therefore provides that context by requiring SNH in considering whether a site is of “special interest” to have regard to the contribution it would make to the establishment of a series of sites in Scotland representative of the diversity and natural heritage of Scotland, Great Britain and the wider European Union.

*Access to information*

22. The Bill recognises that there is a wide range of parties with a genuine and legitimate interest in conservation designations and land use. Whilst the primary focus will always remain with those who have the most direct legal interest in SSSI land, the Bill provides for the involvement of a much broader group of stakeholders - including local communities and statutory undertakers - in decisions affecting SSSIs.

23. The Bill seeks to ensure that information about SSSIs is transparent and accessible. A significant new delivery mechanism will be a national SSSI register for Scotland. The aim will be to provide an authoritative public register of SSSIs overseen by the Keeper of the Registers and accessed through the Registers Direct website. A national, electronic SSSI register will contribute to the realisation of the modernising government agenda - promoting joined-up government, e-governance, freedom of information, etc. It will also promote the rationalisation and sharing of data within government and its agencies.

*Better guidance for land managers*

24. Although Scottish Natural Heritage (SNH) already, on its own initiative, produces management statements for SSSIs, it is currently under no statutory obligation to do so. The Bill will formalise existing best practice by requiring the provision of a site management statement for each SSSI. In addition to providing practical guidance to the owner/occupier of the site in relation to its management, the statement will also provide the opportunity for SNH to address socio-economic issues (which cannot be dealt with in the context of the purely scientific case for designation of the site).

*Improved protection for SSSIs*

25. Under the existing 1981 Act, operations which would damage or destroy a SSSI can be delayed but cannot be prohibited if a landowner insists on going ahead. Such situations are rare, but are nonetheless at odds with the wider public interest in maintaining our national natural heritage. The Bill therefore allows damaging activities to be blocked where this is genuinely necessary.

26. There may also be circumstances in which operations on land outwith the boundaries of a SSSI need to be controlled in order to ensure the proper protection of the SSSI interest. In such cases it will be possible for Ministers to use an extended version of the current power to make a nature conservation order. The Executive is also ensuring in the Bill that the actions of third parties can be adequately controlled. One of the current frustrations for managers of SSSIs is that the 1981 Act only protects SSSIs against the actions of their owner or occupier - and that genuine threats from other quarters can only be tackled with difficulty, if at all. As part of this package of improved protection, the Bill also provides for SNH to make byelaws for SSSIs.

*Realistic penalties*

27. To support these and the other improvements to the SSSI system, the Bill updates the penalties available to the courts in dealing with offences involving protected sites. Summary penalties for damage to SSSIs are to be uprated to £40,000 by analogy with the commitment in *A Partnership for a Better Scotland* to double fines for offences involving anti-social behaviour such as fly-tipping. Higher fines will be an option if the offence is serious enough to lead to conviction on indictment. These levels of penalty recognise the fact that in many cases, damage to an SSSI will be motivated by financial gain. Custodial sentences are not being applied in relation to SSSI offences.

*Lighter regulation*

28. The concomitant of improved protection is the ability for SNH to lighten the regulatory load on land managers. Since it will in future be possible to prevent all genuinely damaging activity, there will no longer be the same necessity for SNH to specify an unwieldy list of potentially damaging operations covering everything and anything that a land manager could ever conceivably do on the site. Limitations on management of the site will be much more specific and closely targeted. This (in combination with the site management statement) will give land managers far greater certainty in their business and operational planning.

*Encouraging positive management*

29. Individual land managers should not be expected to shoulder a disproportionate share of the cost of delivering a national policy for Scotland's special places. The Executive believes that it is right and proper that the public purse should help to support the favourable management of SSSIs. Existing legislation already provides for positive management payments to be made by SNH, and others, under initiatives such as "Natural Care". These assist site managers in implementing management regimes which are beneficial to the site. The Bill will improve the overall legislative framework within such payments can operate.

*Fair compensation and value for money*

30. There will be occasions when voluntary arrangements to secure the positive management of a site do not prove possible and it then becomes necessary to refuse consent for an operation on a SSSI. Where this means that it is no longer possible to continue with the established management of the land, the Executive is clear that the land manager should receive compensation for actual losses experienced as a direct result of the enforced change of management practice. In such circumstances, SNH will be obliged to offer a compensatory management agreement. The need for such compensatory agreements is already rare (averaging only around 4 per year since 1998). No significant change to this state of affairs is anticipated.

31. Compensation will not be payable where a development is merely speculative. The principle to be applied in future is that compensation will only be payable where the existing, established use of the land is prevented or inhibited by conservation requirements. There will no longer be any reason to “buy-off” landowners who invent unrealistic projects simply in order to obtain compensation. Nor will land managers receive payments where they require to comply with other regulatory regimes or standards of good farming practice. Policies in relation to both positive and compensatory management agreements will be provided in *Financial Guidelines*, which were issued for consultation in March alongside the draft Bill. Copies of the guidelines are available from the Scottish Executive, Wildlife and Habitats Unit, Victoria Quay, Edinburgh, EH6 6QQ.

*New right of appeal to the Scottish Land Court*

32. Whilst there is provision in the 1981 Act for arbitration (and the Lands Tribunal for Scotland has been involved as an arbiter in past cases) there is at present no formal right of appeal available to land managers where their management of the land is restricted. The Bill therefore provides a right of recourse to the Scottish Land Court in appropriate instances, including where consent is refused or the amount offered by way of compensation is felt to be inadequate. The specialist expertise of a body as experienced as the Land Court will be of immense value in dealing with such cases. It will, of course, remain desirable, in the interests of all parties, for disputes to be dealt with by administrative means or by mediation where this is a realistic option. But it is important that land managers do have a clear statutory provision to fall back upon when such mechanisms are unable to resolve a dispute.

*Land management orders*

33. The availability of payments for positive management under schemes such as “Natural Care” means that in future land managers will have access to well-designed and properly-costed support packages to help them implement favourable management regimes for SSSIs under their stewardship. Very rarely, however, there may be occasions when it becomes essential that a particular operation or form of management is carried out on a protected site, whether or not such an agreement is in place. This is likely to be especially important where a SSSI has also been designated as a Natura 2000 site. Natura sites (special areas of conservation and special protection areas) are sites which have been identified as being of significance on a Europe-wide scale. The UK Government and the Scottish Executive are legally obliged to ensure the conservation of such sites.

34. Where such action is necessary, SNH will first seek to conclude a suitable agreement with the land manager. Should this be impossible, the Bill will allow SNH to apply for an order from the Scottish Ministers to oblige the land manager to carry out the necessary operation. The use of such an order is expected to be extremely rare and a full right of appeal to the Scottish Land Court is provided in the Bill.

*New duty on statutory undertakers and regulatory authorities*

35. For the first time, statutory undertakers and regulators will be brought explicitly within the ambit of the SSSI system. Both statutory undertakers and regulators will be obliged to act responsibly in relation to protected sites and a simplified consent mechanism for operations on a SSSI will also be put in place. Where a regulator such as the Scottish Environment Protection Agency (SEPA) or the Forestry Commission consents to an operation affecting a SSSI, it will first be required to consult SNH. Any consent required from SNH will be contained within the regulator's consent and this will remove any need for the applicant to make a separate application to SNH, thereby helping to simplify regulatory arrangements and easing the burden on land managers.

**Wildlife crime**

36. The policy intention is to correct a number of weaknesses and loopholes in the 1981 Act and to fulfil a clear commitment to the effective transposition into domestic law of obligations arising at a European level. The 1981 Act is the primary mechanism by which the Birds Directive is implemented in Scotland and the policy intention is to ensure that the aims of the Directive are better reflected in the Act. In parallel with changes to the 1981 Act, the intention is also to clarify, strengthen and update relevant sections of the Conservation (Natural Habitats, &c.) Regulations 1994. The regulations transpose into Scottish law the obligations placed on the UK by the Habitats Directive. The regulations are themselves largely modelled on the wording of the 1981 Act and the intention is therefore to reflect changes made to the 1981 Act in the corresponding parts of the regulations.

37. The Bill builds upon priority action already taken by the Executive, via the Criminal Justice (Scotland) Act 2003, to implement the most urgently-required proposals on wildlife crime from *The Nature of Scotland*. Custodial sentences, a specific power of arrest, the wider availability of search warrants and a longer period within which to bring a prosecution are all now available to Scotland's courts and police forces (having come into force on 26 March 2003).

38. The Bill will build upon this by instituting further important changes from *The Nature of Scotland* package of proposals. The key policy component objectives are therefore to:

- employ the principle of "recklessness" in order to extend and enhance the existing offences of intentionally killing, taking, destroying or disturbing protected wildlife. Recklessness is a robust and well understood concept in Scots law and it imposes a strict test in any prosecution. But the Executive will ensure that adequate safeguards are provided to ensure that environmentally responsible land managers, and recreational users of the countryside, cannot inadvertently contravene the new provisions.

- respond to public concern about the misuse and abuse of snares, by improving controls. Where they are used properly, snares should continue to provide a legitimate and practical method of pest control. This is not a straight forward issue and a range of bodies are likely to press for an outright ban on snaring. The case they will present is one which cannot be dismissed out of hand. Nonetheless, the Executive believes - after full consideration of the arguments - that the policy being pursued in the Bill is the correct one and strikes the right balance.
- enhance the protection available to birds at a European Union level. This will include the provision of new measures to clamp down on wildlife criminals who steal specimens such as birds eggs from overseas in order to enhance collections which they possess in Scotland. Other changes will ensure better compliance with European obligations in relation to the protection afforded to birds.
- provide additional protection to the endangered capercaillie by according additional protection to these rare birds when they are engaged in breeding season displays at special sites known as “leks”.
- improve the protection enjoyed by cetaceans (whales, dolphins and porpoises) as well as the increasingly rare basking shark.
- clarify the ability of the police to secure evidence, including DNA evidence, which is increasingly important in identifying the origin of wildlife specimens
- address potential ECHR exposure by clarifying the role and powers of existing Wildlife Inspectors who carry out inspection and verification work.
- extend in a consistent manner the existing measures within the 1981 Act which are designed to target employers who “cause or permit” wildlife offences.
- provide a framework within which analogous changes can be made to the 1994 regulations – which implement European obligations in relation to certain animals and plants.

## **Conclusion**

39. The Bill delivers a package of measures which are designed to significantly enhance the protection afforded to Scotland’s natural heritage and promote its active conservation and enhancement for the benefit of future generations. In addition to delivering on nature conservation commitments, the Bill reflects a wide variety of important policy themes ranging from enhanced transparency of decision-making and improved access to information, through to sustainability and environmental justice. The Bill enjoys strong support from all key stakeholder groups and represents the fruition of over 4½ years of detailed policy development and consultation with interested parties.

## **ALTERNATIVE APPROACHES**

40. This Bill represents the culmination of a process of consultation and debate with key stakeholders and partners dating back at least to the publication in 1998 of the Scottish Office paper *People and Nature* and the subsequent (March 2001) Scottish Executive consultation paper *The Nature of Scotland*. There has been near universal agreement that the Bill is the correct approach to delivering an enhanced and properly integrated system of nature



conservation. In doing so the Bill remedies acknowledged weaknesses in both the existing SSSI system and provisions of Part I of the 1981 Act. It goes beyond this by locating both site protection (i.e. the SSSI system) and species protection (i.e. the measures in Part I of the 1981 Act) within the wider context of biodiversity conservation. In this sense the Bill implements changes to existing systems on the basis of detailed review of the effectiveness of those systems and at the same time gives new recognition to the end goal of these systems by explicitly importing the principle of biodiversity conservation into legislation. The principles on which the Bill is based have been almost unanimously accepted and the detailed provisions (apart from the wildlife crime provisions, which were dealt with in the form of a detailed policy statement) have been the subject of intensive consultation with stakeholders.

41. The Bill upgrades a system which was widely recognised as being out of date and in need of modernisation. The status quo was accepted as not being a viable option. As such, the only viable alternative approaches available were effectively when and how legislative reform might be carried out. The legislative timetable did not permit introduction of the Bill under the previous administration, however, the First Minister made a commitment to introducing a Bill as soon as possible following the general election of May 2003.

42. Since the main aim of the Bill is to modernise and increase efficiency through an integrated system for nature conservation, options for delivery are essentially very detailed. Consultation has explored these details fully and alternatives suggested relate to the detailed drafting rather than to the principle. Many of these have been taken forward.

## **CONSULTATION**

43. The proposals in the Bill have been thoroughly consulted upon over the course of the last 4½ years, both internally and externally.

44. In November 1998, the Scottish Office published the consultation paper *People and Nature: A New Approach to SSSI Designations in Scotland*. This discussion paper represented the starting point in terms of public consultation on reviewing the system of SSSIs in Scotland. The Scottish Office received a total of 166 responses.

45. This led in March 2001 to the publication of the Scottish Executive policy statement *The Nature of Scotland*. This included the proposed legislative reforms to the SSSI system and improved measures to combat wildlife crime which form the basis of this Bill. The proposals in *The Nature of Scotland* were widely supported and many constructive comments were made. Only 4 out of 223 respondents rejected the package outright.

46. The evolution of *The Nature of Scotland* proposals and subsequent detailed work on the Bill have been undertaken and shaped by in-depth dialogue and close co-operation with professionals and experts. This includes, amongst others, the RSPB, NFU Scotland, Scottish Landowners' Federation, RICS Scotland, Scottish Natural Heritage and the Forestry Commission. This process has converted *The Nature of Scotland* policy objectives into specific legislative provisions. The proposals in the Bill have therefore been developed with the close co-operation of all key stakeholders and partners and reflect careful consideration of the potential impacts on a wide range of interested parties. Dialogue was held principally through three

representative stakeholder groups, the Expert Working Group on SSSI Reform (and two subgroups), the Partnership for Action against Wildlife Crime and the Scottish Biodiversity Forum. Each has contributed significantly to the final shape of the policies implemented by the Bill.

47. Finally, a draft Bill and detailed policy proposals on wildlife crime measures were published for consultation in March 2003. This was accompanied by draft Financial Guidelines which will govern management agreement payments for SSSIs and Natura sites. 141 responses were received and of these, 128 were broadly supportive, 7 were opposed in principle and the remaining 6 respondents did not comment on the proposals in the Bill.

48. A number of meetings took place with key stakeholders following the close of the last consultation in March 2003 to discuss in greater detail their consultation responses and to ensure the most effective policy refinements, and subsequently led to detailed drafting changes.

## **EFFECTS ON EQUAL OPPORTUNITIES, HUMAN RIGHTS, ISLAND COMMUNITIES, LOCAL GOVERNMENT, SUSTAINABLE DEVELOPMENT ETC.**

### **Equal opportunities**

49. The Bill's provisions are not discriminatory on the basis of gender, race, disability, marital status, religion or sexual orientation.

### **Human rights**

50. The Scottish Executive is satisfied that the provisions of the Bill are compatible with the European Convention on Human Rights. Particular attention has been paid at both at policy development and drafting stages to the necessity of ensuring ECHR-compliance. In particular, the Bill respects the principle of peaceful enjoyment of property so far as consistent with the wider public interest in protection of the natural heritage of Scotland. Controls over the use of property are no more than is necessary to effect that protection. In addition specific provision is made for appeal or application to an independent court in appropriate cases. Enforcement powers are proportionate to the need to prevent the commission of offences under the Bill.

### **Island communities**

51. The Bill is designed to benefit the whole of Scotland. It does have implications for rural Scotland and for local communities and in both areas, the effect of the Bill is to ensure greater transparency and to give a greater say to those who may be affected by decisions relating to the conservation and protection of SSSIs. This emphasis on greater transparency and improved availability of information also reflect our commitment to freedom of information. The Bill does not discriminate for or against island communities.

### **Local government**

52. The impact of the Bill upon local government has been kept to the minimum, which is consistent with the policy objectives. The lead on implementing the legislation will fall to the

Scottish Executive and Scottish Natural Heritage and stakeholders are largely content with the balance that has been struck.

53. The two new general duties placed on local government in sections 1 and 12 effectively provide a statutory recognition and underpinning to existing good practice. The first, a general biodiversity duty, will require the local government to “further the conservation of biodiversity” in the course of exercising its functions (but without prejudice to the proper exercise of those functions). In doing so, local government will require to have regard to the Rio Convention and to act with reference to the aims and objectives of the new Scottish Biodiversity Strategy, which is still being formulated. The second duty will require local government to have regard to the desirability of conserving and enhancing the aspect of natural heritage for which the site was notified as a SSSI.

54. These duties are drawn quite widely but are explicitly intended not be overriding duties which would prejudice the proper conduct of the other functions of local government, or any other public body. Local government is, furthermore, already largely compliant with the requirements of these two duties, although some refocusing of existing approaches may take place. That will be at the discretion of local government.

### **Sustainable development**

55. The delivery of Executive policy on sustainability is significantly enhanced by the Bill, particularly through the mechanism of the general duty on public bodies to conserve biodiversity. Biodiversity is a key indicator of success in ensuring that public bodies are pursuing policies which are consistent with the principles of sustainability. This objective is supported by the narrower and more specific duties placed on public bodies in relation to decisions and operations affecting SSSIs.

### **Modernising government**

56. Provision is made in section 22 of the Bill for a power to make regulations placing a duty on SNH to provide information to the Keeper of the Registers to allow him to provide an authoritative public register of SSSIs for a conveyancing/professional audience (accessed through the Registers Direct website). This development is consistent with the concept of the modernising government agenda - promoting joined-up government, e-governance, freedom of information, etc. It will also promote the rationalisation and sharing of data and thereby lead to cost-efficiency savings and added value.

*This document relates to the Nature Conservation (Scotland) Bill (SP Bill 9) as introduced in the Scottish Parliament on 29 September 2003*

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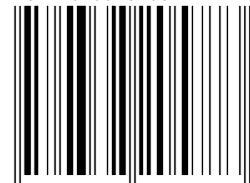
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