

## **APPENDIX I – LEGISLATION RELATING TO BATS**

The information below is intended only as guidance to the legislation relating to these species. The legislative documents themselves should be referred to for the correct legal wording.

### **Bats**

There are seventeen different species of bat in the UK; some are very rare whilst others are widespread. However, because the populations of most species have declined in past decades, all British bats have been protected by law.

Bats are protected under the Conservation (Natural Habitats and Wild Fauna and Flora (92/43/EEC)) Regulations 1994 (Statutory Instrument No. 2716 known as the Habitats Regulations), which have been amended by the Conservation (Natural Habitats, &c.) (Amendment) Regulations 2007 (Statutory Instrument No. 1843). The amended regulations largely came into force on the 21<sup>st</sup> August 2007. Due to their inclusion on Schedule 2 of the Habitats Regulations, bats are considered 'European Protected Species'

In summary, this legislation makes it an offence to:

- deliberately capture, injure or kill a bat;
- deliberately disturb bats in such a way as to be likely to significantly affect –
  - (i) the ability of any significant group of bats to survive, breed or rear or nurture their young; or
  - (ii) the local distribution or abundance of that species of bat;
- damage or destroy a breeding site or resting place of any bat;
- possess a bat (alive or dead) or any part of a bat.

Bats are also protected under the Wildlife and Countryside Act 1981 (as amended), which has also been amended by the Countryside and Rights of Way (CROW) Act, 2000.

In summary, this legislation makes it an offence to:

- intentionally or recklessly disturb a bat while it is occupying a structure or place which it uses for shelter or protection;
- intentionally or recklessly obstruct access to any structure or place which any bat uses for shelter or protection.

In addition, under UK's Biodiversity Action Plans seven British bat species are listed as 'Priority Species'. These include barbastelle *Barbastella barbastellus*, Bechstein's *Myotis bechsteinii*, noctule *Nyctalus noctula*, soprano pipistrelle *Pipistrellus pygmaeus*, brown long-eared *Plecotus auritus*, greater horseshoe *Rhinolophus ferrumequinum* and lesser horseshoe *Rhinolophus hipposideros*.