



Environmental Assessment (Scotland) Act 2005

2005 asp 15

PART 1

ENVIRONMENTAL ASSESSMENT FOR PLANS AND PROGRAMMES

8 Exemptions: screening

- (1) The responsible authority shall determine whether or not—
 - (a) a plan or programme of a description set out in section 5(3) which determines the use of small areas at local levels;
 - (b) a minor modification to a plan or programme of a description set out in section 5(3);
 - (c) a plan or programme of the description set out in section 5(3)(c);
 - (d) a plan or programme of the description set out in section 5(4) which is not exempt by virtue of section 7(1),is likely to have significant environmental effects.
- (2) Where the responsible authority determines under subsection (1) that a plan or programme is unlikely to have significant environmental effects—
 - (a) that plan or programme is exempt; and
 - (b) the authority shall prepare a statement of its reasons for the determination.
- (3) In making a determination under subsection (1), the responsible authority shall apply the criteria specified in schedule 2.
- (4) The statement of reasons under subsection (2)(b) shall, in particular, state how the criteria mentioned in subsection (3) were applied when making the determination.

Commencement Information

II S. 8 in force at 20.2.2006 by [S.S.I. 2006/19](#), [art. 2](#)

Changes to legislation:

There are currently no known outstanding effects for the Environmental Assessment (Scotland) Act 2005, Section 8.