

Directive 2011/92/EU of the European Parliament and of the Council of
13 December 2011 on the assessment of the effects of certain public and
private projects on the environment (codification) (Text with EEA relevance)

Article 1

1 This Directive shall apply to the assessment of the environmental effects of those public and private projects which are likely to have significant effects on the environment.

2 For the purposes of this Directive, the following definitions shall apply:

- a 'project' means:
 - the execution of construction works or of other installations or schemes,
 - other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources;
- b 'developer' means the applicant for authorisation for a private project or the public authority which initiates a project;
- c 'development consent' means the decision of the competent authority or authorities which entitles the developer to proceed with the project;
- d 'public' means one or more natural or legal persons and, in accordance with national legislation or practice, their associations, organisations or groups;
- e 'public concerned' means the public affected or likely to be affected by, or having an interest in, the environmental decision-making procedures referred to in Article 2(2). For the purposes of this definition, non-governmental organisations promoting environmental protection and meeting any requirements under national law shall be deemed to have an interest;
- f 'competent authority or authorities' means that authority or those authorities which the Member States designate as responsible for performing the duties arising from this Directive^{[F1];}

^[F2]g 'environmental impact assessment' means a process consisting of:

- (i) the preparation of an environmental impact assessment report by the developer, as referred to in Article 5(1) and (2);
- (ii) the carrying out of consultations as referred to in Article 6 and, where relevant, Article 7;
- (iii) the examination by the competent authority of the information presented in the environmental impact assessment report and any supplementary information provided, where necessary, by the developer in accordance with Article 5(3), and any relevant information received through the consultations under Articles 6 and 7;
- (iv) the reasoned conclusion by the competent authority on the significant effects of the project on the environment, taking into account the results of the examination referred to in point (iii) and, where appropriate, its own supplementary examination; and
- (v) the integration of the competent authority's reasoned conclusion into any of the decisions referred to in Article 8a.]

^[F13] Member States may decide, on a case-by-case basis and if so provided under national law, not to apply this Directive to projects, or parts of projects, having defence as their sole

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purpose, or to projects having the response to civil emergencies as their sole purpose, if they deem that such application would have an adverse effect on those purposes.]

F³4

Textual Amendments

- F1** Substituted by Directive 2014/52/EU of the European Parliament and of the Council of 16 April 2014 amending Directive 2011/92/EU on the assessment of the effects of certain public and private projects on the environment (Text with EEA relevance).
- F2** Inserted by Directive 2014/52/EU of the European Parliament and of the Council of 16 April 2014 amending Directive 2011/92/EU on the assessment of the effects of certain public and private projects on the environment (Text with EEA relevance).
- F3** Deleted by Directive 2014/52/EU of the European Parliament and of the Council of 16 April 2014 amending Directive 2011/92/EU on the assessment of the effects of certain public and private projects on the environment (Text with EEA relevance).