

## SCHEDULE 5

### Saving and transitional provisions

## PART 2

### The Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 1999 as modified

#### **Projects in another EEA state likely to have significant transboundary effects**

19.—(1) Where the council or, as the case may be, the Department receives from another EEA state pursuant to Article 7.1 or 7.2 of the Directive information which the EEA state has gathered from the developer of a proposed project in that EEA state which is likely to have significant effects on the environment in Northern Ireland, the council or, as the case may be, the Department shall, in accordance with Article 7.4 of the Directive—

- (a) enter into consultations with that EEA state regarding, inter alia, the potential significant effects of the proposed project on the environment in Northern Ireland and the measures envisaged to reduce or eliminate such effects; and
  - (b) determine in agreement with that EEA state a reasonable period, before development consent for the project is granted, during which members of the public in Northern Ireland may submit to the competent authority in that EEA state representations pursuant to Article 7.3(b) of the Directive.
- (2) The council or, as the case may be, the Department, in so far as it is concerned, shall also—
- (a) arrange for the information referred to in paragraph (1) to be made available, within a reasonable time, both to the authorities in Northern Ireland which it considers are likely to be concerned by the project by reason of their specific environmental responsibilities, and to the public concerned in Northern Ireland;
  - (b) ensure that those authorities and the public concerned in Northern Ireland are given an opportunity before development consent for the project is granted, to forward to the competent authority in the relevant EEA state, within a reasonable time, their opinion on the information supplied; and
  - (c) so far as it has received such information, notify those authorities and the public concerned of the content of any decision of the competent authority of the relevant EEA state; and in particular—
    - (i) any conditions attached to it;
    - (ii) the main reasons and considerations on which the decision was based including, if relevant, information about the participation of the public; and
    - (iii) a description of the main measures to avoid, reduce and, if possible, offset any major adverse effects that have been identified.