
SCOTTISH STATUTORY INSTRUMENTS

2000 No. 320

The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2000

PART 1

GENERAL

Prohibition of grant of consent without consideration of environmental information

3.—(1) The Scottish Ministers shall not grant a section 36 consent or a section 37 consent which relates to EIA development unless the requirements of regulation 4 have been satisfied.

(2) Schedule 2 development shall constitute EIA development if one of the events set out in paragraph (3) has occurred.

(3) The events referred to in paragraph (2) are—

- (a) the submission by the applicant in relation to the proposed development of a document referred to by the applicant as an environmental statement for the purposes of these Regulations; or
- (b) a determination by the Scottish Ministers (whether pursuant to a request for a screening opinion or regulation 6), having taken into account such of the criteria set out in Schedule 3 as are relevant to the development, that the application relates to EIA development as the development is likely to have significant effects on the environment by virtue of factors such as its nature, size or location.

(4) In spite of the fact that any development is not Schedule 1 development or Schedule 2 development, the Scottish Ministers may, having taken into account such of the criteria set out in Schedule 3 as are relevant to the development, make a determination (whether pursuant to a request for a screening opinion or regulation 6) that an application for a section 36 consent or a section 37 consent is for EIA development as the development is likely to have significant effects on the environment by virtue of factors such as its nature, size or location.