

SCHEDULE 4

GRANT OF PERMITS

PART 2

DETERMINATION OF APPLICATIONS

- 26.—(1) This paragraph applies where—
- (a) the Scottish Ministers are aware that the operation in Scotland of an installation carrying out an activity described in Annex I to the Industrial Emissions Directive is likely to have significant negative effects on the environment of [^{F1}a] Member State, or
 - (b) [^{F2}a] Member State whose environment is likely to be so affected requests information about the operation of the installation.
- (2) The Scottish Ministers must give the Secretary of State for onward transmission to the ^{F3}... Member State ^{F4}... —
- (a) a copy of the application to operate the installation,
 - (b) a copy of the advertisement under paragraph 8, and
 - (c) if applicable, copies of the draft determination in respect of that application and of the advertisement under paragraph 22, at the same time as the application or draft determination is advertised under paragraphs 8 or 22, and
 - (d) any additional information which has become available after the application or draft determination was advertised, and which may be relevant to the determination of the application ^{F5}...
- (3) The Scottish Ministers must comply with sub-paragraph (2)—
- (a) at the same time as the application, proposed variation or draft determination are advertised under paragraphs 8 or 22, or
 - (b) if this paragraph applies after the date of such advertisement, and the application or proposed variation has not been determined, as soon as possible thereafter.

Textual Amendments

- F1** Word in Sch. 4 para. 26(1)(a) substituted (31.12.2020) by The Environment (EU Exit) (Scotland) (Amendment etc.) Regulations 2019 (S.S.I. 2019/26), regs. 1, **13(25)(i)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F2** Word in Sch. 4 para. 26(1)(b) substituted (31.12.2020) by The Environment (EU Exit) (Scotland) (Amendment etc.) Regulations 2019 (S.S.I. 2019/26), regs. 1, **13(25)(i)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F3** Word in Sch. 4 para. 26(2) omitted (31.12.2020) by virtue of The Environment (EU Exit) (Scotland) (Amendment etc.) Regulations 2019 (S.S.I. 2019/26), regs. 1, **13(25)(i)(ii)(aa)**; 2020 c. 1, Sch. 5 para. 1(1)
- F4** Words in Sch. 4 para. 26(2) omitted (31.12.2020) by virtue of The Environment (EU Exit) (Scotland) (Amendment etc.) Regulations 2019 (S.S.I. 2019/26), regs. 1, **13(25)(i)(ii)(bb)**; 2020 c. 1, Sch. 5 para. 1(1)
- F5** Words in Sch. 4 para. 26(2) omitted (31.12.2020) by virtue of The Environment (EU Exit) (Scotland) (Amendment etc.) Regulations 2019 (S.S.I. 2019/26), regs. 1, **13(25)(i)(ii)(cc)**; 2020 c. 1, Sch. 5 para. 1(1)

Changes to legislation:

There are currently no known outstanding effects for the The Pollution Prevention and Control (Scotland) Regulations 2012, Paragraph 26.