
SCOTTISH STATUTORY INSTRUMENTS

2017 No. 101

The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017

PART 3

**PROCEDURES CONCERNING APPLICATIONS
FOR ELECTRICITY ACT CONSENT**

EIA application made without an EIA report

11.—(1) This regulation applies where an EIA application which is before the Scottish Ministers for determination is not accompanied by ^{F1}... an EIA report.

(2) Where this regulation applies the Scottish Ministers must notify the developer in writing that the submission of an EIA report is required.

(3) Notice under paragraph (2) must be given—

- (a) within three weeks beginning with the date on which the application is made; or
- (b) where the Scottish Ministers adopt a screening opinion after the date on which the application is made, within seven days beginning with the date of adoption of that screening opinion.

(4) A developer who receives notice under paragraph (2) may within three weeks beginning with the date of the notice write to the Scottish Ministers stating that an EIA report will be provided and may under regulation 12 ask the Scottish Ministers to adopt a scoping opinion.

(5) If the developer does not write in accordance with paragraph (4), the Scottish Ministers are under no duty to deal with the application, and at the end of the three week period the Scottish Ministers must inform the developer in writing that no further action is being taken on the application.

(6) Where the Scottish Ministers have given notice under paragraph (2), they are to determine the application only by refusing Electricity Act consent if the developer does not submit an EIA report

Textual Amendments

- F1** Words in reg. 11(1) omitted (30.6.2017) by virtue of [The Environmental Impact Assessment \(Miscellaneous Amendments\) \(Scotland\) Regulations 2017 \(S.S.I. 2017/168\)](#), regs. 1, **2(4)**

Status:

Point in time view as at 30/06/2017.

Changes to legislation:

There are currently no known outstanding effects for the The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017, Section 11.