
SCOTTISH STATUTORY INSTRUMENTS

2017 No. 113

The Forestry (Environmental Impact Assessment) (Scotland) Regulations 2017

PART 2

DETERMINING WHETHER EIA IS REQUIRED

Exemptions

9.—(1) The Commissioners may ^{F1}... direct that these Regulations do not apply in relation to a forestry project specified in the direction where, in the opinion of the Commissioners, compliance with these Regulations would have an adverse effect on the purpose of the forestry project.

(2) Where such a direction is given under paragraph (1), the Commissioners must—

- (a) make available to the public concerned the information considered in making the direction and the reasons for making the direction;
- (b) consider whether another form of assessment would be appropriate; and
- (c) if in the opinion of the Commissioners another form of assessment would be appropriate, take such steps as are considered appropriate to bring the information obtained under the other form of assessment to the attention of the public concerned.

(3) The Commissioners may direct that these Regulations do not apply in relation to a forestry project specified in the direction if the forestry project comprises a project having the response to civil emergencies as its sole purpose and where, in the opinion of the Commissioners, compliance with these Regulations would have an adverse effect on that purpose.

(4) The Commissioners may ^{F2}... direct that the provisions relating to public consultation in regulation 18 do not apply in cases where a forestry project specified in the direction is adopted pursuant to an enactment (including an Act of the Scottish Parliament or any instrument made under such an Act) provided that the objectives of the Directive are met.

Textual Amendments

F1 Words in [reg. 9\(1\)](#) omitted (31.12.2020) by virtue of [The Plant Health \(EU Exit\) \(Scotland\) \(Amendment etc.\) Regulations 2020 \(S.S.I. 2020/466\)](#), [regs. 1\(1\)\(c\)](#), [9\(3\)\(a\)](#) (with [reg. 32](#))

F2 Words in [reg. 9\(4\)](#) omitted (31.12.2020) by virtue of [The Plant Health \(EU Exit\) \(Scotland\) \(Amendment etc.\) Regulations 2020 \(S.S.I. 2020/466\)](#), [regs. 1\(1\)\(c\)](#), [9\(3\)\(b\)](#) (with [reg. 32](#))

Changes to legislation:

There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Forestry (Environmental Impact Assessment) (Scotland) Regulations 2017. Any changes that have already been made by the team appear in the content and are referenced with annotations. [View outstanding changes](#)

Changes and effects yet to be applied to :

- Regulations power to amend or revoke conferred by [2023 c. 55 s. 164\(3\)Sch. 14 Pt. 2](#)
- reg. 9 words substituted by [S.S.I. 2021/44 reg. 10\(8\)](#)

Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- reg. 41(4)(5) inserted by [S.S.I. 2021/44 reg. 10\(34\)](#)