
SCOTTISH STATUTORY INSTRUMENTS

2020 No. 465

The Island Communities Impact Assessments (Publication and Review of Decisions) (Scotland) Regulations 2020

PART 1

Preliminary

Citation and commencement

1. These Regulations may be cited as the Island Communities Impact Assessments (Publication and Review of Decisions) (Scotland) Regulations 2020 and come into force on 23 December 2020.

Interpretation

2. In these Regulations—

“the Act” means the Islands (Scotland) Act 2018,

“applicant” means—

- (a) an individual who is a resident of an island community at the time of the decision, or
- (b) a community controlled body, or
- (c) a relevant local authority,

“decision” means—

- (a) a published decision, or
- (b) the decision of the relevant authority following review of a policy, strategy or service (as the case may be)—
 - (i) not to prepare an island communities impact assessment for that policy, strategy or service (as the case may be), and
 - (ii) not to publish an explanation for not preparing an island communities impact assessment,

“community controlled body” means a body (whether corporate or unincorporated) having a written constitution that includes the following—

- (a) a definition of the island community to which the body relates,
- (b) provision that the majority of the members of the body is to consist of members of that island community,
- (c) provision that the members of the body who consist of members of that island community have control of the body,
- (d) provision that membership of the body is open to any member of that island community,
- (e) a statement of the body’s aims and purposes, including a promotion for the benefit of that island community, and

(f) provision that any surplus funds or assets of the body are to be applied for the benefit of that island community,

“publication date” means—

- (a) the publication date of the island communities impact assessment, or
- (b) the publication date of the explanation by the relevant authority for not preparing an island communities impact assessment,

“published decision” means—

- (a) the published island communities impact assessment,
- (b) the published explanation by the relevant authority for not preparing an island communities impact assessment,

“relevant local authority” has the meaning given by section 21(2)(a) of the Act,

“review documents” means—

- (a) the application for review,
- (b) all documents accompanying the application for review in accordance with regulation 5(1)(b), and
- (c) all representations or comments received by the relevant authority by virtue of regulations 7(3) or 8(2).

“validation date” has the meaning given by regulation 6(6),

“working day” means every day except—

- (a) Saturday and Sunday,
- (b) 1 and 2 January, and
- (c) 25 and 26 December.