



# Roads (Scotland) Act 1984

## 1984 CHAPTER 54

### PART III

#### NEW ROADS

#### **[<sup>F1</sup>20F. Projects with significant transboundary effects**

- (1) This section applies if—
  - (a) it appears to the Scottish Ministers that a project to which section 20C(2) applies is likely to have a significant effect on the environment in [<sup>F2</sup>an]EEA State, or
  - (b) an EEA State the environment of which is likely to be significantly affected by such a project asks the Scottish Ministers for information about it.
- (2) The Scottish Ministers must give to the relevant EEA State—
  - (a) a description of the project together with any information available to them which suggests that it may have a significant effect on the environment in that EEA State,
  - (b) any information which they have about the nature of the decision which may be taken on the project,
  - (c) where they consider it appropriate, information about the environmental impact assessment procedure, and
  - (d) a reasonable period within which to indicate whether that EEA State wishes to participate in that procedure.
- (3) Subsection (2)(a) and (b) above must be complied with no later than the date of publication of the notice referred to in section 20C(5).
- (4) If the EEA State indicates that it wishes to participate in the environmental impact assessment procedure, the Scottish Ministers must give it—
  - (a) a copy of the EIA report where that has not already been given to that EEA State,
  - (b) the information required by subsection (10) of section 20C to be included in the notice under subsection (9) of that section, and

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*Changes to legislation: Roads (Scotland) Act 1984, Section 20F is up to date with all changes known to be in force on or before 22 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

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- (c) any information about the environmental impact assessment procedure under this Part of this Act which they consider it appropriate to give and has not already been given to that EEA State.
- (5) The Scottish Ministers must also—
- (a) arrange for the information which they have given to the EEA State to be made available within a reasonable time to—
- (i) <sup>F3</sup>any authority in that State that the State may specify], and
  - (ii) members of the public in the EEA State who are likely to be concerned, and
- (b) ensure that those authorities and the members of the public concerned are given a reasonable opportunity to express an opinion before they decide whether to proceed with the project.
- (6) <sup>F4</sup>The] Scottish Ministers must—
- (a) consult the EEA State concerned regarding in particular the potential significant effects of the project on the environment of that EEA State and the measures envisaged to reduce or eliminate those effects, and
- (b) agree with that EEA State a reasonable period for responding to that consultation.
- (7) Where an EEA State has been consulted in accordance with subsection (6) above, the Scottish Ministers must, after deciding whether to proceed with the project to which the environmental assessment relates, inform the EEA State of the decision and give it copies of the documents containing the matters referred to in paragraph 7(1B), or paragraph 13(1B) as the case may be, of schedule 1 of this Act.]

#### Textual Amendments

- F1** Ss. 20A-20G substituted for ss. 20A, 20B (16.5.2017) by [The Roads \(Scotland\) Act 1984 \(Environmental Impact Assessment\) Regulations 2017 \(S.S.I. 2017/137\)](#), regs. 1, **5** (with reg. 12)
- F2** Word in s. 20F(1)(a) substituted (31.12.2020) by [The Environmental Impact Assessment \(Transport\) \(EU Exit\) \(Scotland\) \(Amendment\) Regulations 2019 \(S.S.I. 2019/415\)](#), regs. 1, **2(5)(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F3** S. 20F(5)(a)(i) substituted (31.12.2020) by [The Environmental Impact Assessment \(Transport\) \(EU Exit\) \(Scotland\) \(Amendment\) Regulations 2019 \(S.S.I. 2019/415\)](#), regs. 1, **2(5)(b)**; 2020 c. 1, Sch. 5 para. 1(1)
- F4** Word in s. 20F(6) substituted (31.12.2020) by [The Environmental Impact Assessment \(Transport\) \(EU Exit\) \(Scotland\) \(Amendment\) Regulations 2019 \(S.S.I. 2019/415\)](#), regs. 1, **2(5)(c)**; 2020 c. 1, Sch. 5 para. 1(1)

#### Modifications etc. (not altering text)

- C1** Ss. 20A-20G power to amend or repeal conferred (26.12.2023) by [Levelling-up and Regeneration Act 2023 \(c. 55\)](#), ss. 164(3), 255(5), **Sch. 14 Pt. 2** (with s. 247)

**Changes to legislation:**

Roads (Scotland) Act 1984, Section 20F is up to date with all changes known to be in force on or before 22 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

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

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

- s. 152(3)(3ZA) substituted for s. 152(3) by [2019 asp 17 s. 124\(2\)](#)