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STATUTORY INSTRUMENTS

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**1998 No. 2226**

**The Transport and Works (Assessment of Environmental Effects) Regulations 1998**

**Cases in which other Member States are affected**

3. After section 6 of the Act there shall be inserted—

**“Cases where other Member States are affected**

**6A.**—(1) The power conferred on the Secretary of State by subsection (2) of section 6 above to make rules includes power to make rules for a case where an application has been made under that section and another Member State is affected by the project in question, as to—

- (a) the provision by the Secretary of State to the Member State, or to authorities in, or the public of, the Member State, of documents and information relating to the application;
- (b) consultation by the Secretary of State with the Member State in connection with the application; or
- (c) notification by the Secretary of State to the Member State of the decision, or of matters relating to the decision, on the application.

(2) For the purposes of subsection (1) above, the cases where another Member State is affected by the project in question are those cases where—

- (a) it appears to the Secretary of State that the project would be likely to have significant effects on the environment in another Member State; or
- (b) that other Member State is likely to be significantly affected by the project and requests information relating to the application.”.