
STATUTORY INSTRUMENTS

1999 No. 293

The Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999

PART VIII

DEVELOPMENT WITH SIGNIFICANT TRANSBOUNDARY EFFECTS

Projects in another Member State likely to have significant transboundary effects

28.—(1) Where the Secretary of State receives from another Member State pursuant to Article 7(2) of the Directive information which that Member State has gathered from the developer of a proposed project in that Member State which is likely to have significant effects on the environment in England and Wales, the Secretary of State shall, in accordance with Article 7(4) of the Directive:

- (a) enter into consultations with that Member State regarding, inter alia, the potential significant effects of the proposed project on the environment in England and Wales and the measures envisaged to reduce or eliminate such effects; and
 - (b) determine in agreement with that Member State a reasonable period, before development consent for the project is granted, during which members of the public in England and Wales may submit to the competent authority in that Member State representations pursuant to Article 7(3)(b) of the Directive.
- (2) The Secretary of State, insofar as he is concerned, shall also—
- (a) arrange for the information referred to in paragraph (1) to be made available, within a reasonable time, both to the authorities in England and Wales which he considers are likely to be concerned by the project by reason of their specific environmental responsibilities, and to the public concerned in England and Wales; and
 - (b) ensure that those authorities and the public concerned in England and Wales are given an opportunity, before development consent for the project is granted, to forward to the competent authority in the relevant Member State, within a reasonable time, their opinion on the information supplied.

Changes to legislation:

There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999. 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 :

- Instrument excl (E) (1.2.2002) by [S.I. 2001/3966 reg 3\(1\)reg 3\(2\)\(b\)](#)
- Regulations applied (Crown) (with modifications) by [S.I. 2006/1282 art. 22](#)
- Regulations applied (with modifications) by [2008 c. 18 s. 10\(5\)](#)
- Regulations applied (with modifications) by [2008 c. 18 s. 14\(1\)](#)
- Regulations extended (with modifications) by [SI 1999/293, reg. 26A\(1\)-\(29\)](#) (as inserted) by [S.I. 2000/2867 reg. 2\(5\)](#)
- Regulations modified by [SI 1999/293 reg 24A\(5\)](#) (as inserted) by [S.I. 2006/3295 reg. 17](#)
- Regulations revoked by [S.I. 2011/1824 Sch. 5](#)
- Regulations revoked by [S.I. 2016/58 Sch. 8](#)
- [reg. 26-28](#) words substituted by [S.I. 2000/2867 reg. 2\(4\)](#)
- [reg. 28](#) applied by [S.I. 2009/3342 reg. 52](#)
- [reg. 28\(1\)](#) words inserted by [S.I. 2006/3295 reg. 20\(a\)](#)
- [reg. 28\(1\)](#) words inserted by [S.I. 2006/3099 reg. 16\(a\)](#)
- [reg. 28\(2\)\(a\)](#) word deleted by [S.I. 2006/3099 reg. 16\(b\)](#)
- [reg. 28\(2\)\(a\)](#) word omitted by [S.I. 2006/3295 reg. 20\(b\)](#)
- [reg. 28\(2\)\(b\)](#) full stop deleted by [S.I. 2006/3099 reg. 16\(b\)](#)

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):

- [Sch. 1 para. 21](#) added by [S.I. 2006/3099 reg. 17](#)
- [Sch. 2 para. 13\(a\)](#) words inserted by [S.I. 2006/3295 reg. 24](#)
- [reg. 1\(4\)](#) added by [S.I. 2006/3295 reg. 3\(b\)](#)
- [reg. 2\(6\)](#) added by [S.I. 2000/2867 reg. 2\(2\)\(e\)](#)
- [reg. 2\(6\)](#) word substituted by [S.I. 2008/2335 reg. 3\(3\)\(a\)](#)
- [reg. 2\(6\)](#) words inserted by [S.I. 2006/3295 reg. 4\(2\)](#)
- [reg. 2\(6\)](#) words inserted by [S.I. 2008/2335 reg. 3\(3\)\(b\)](#)
- [reg. 2\(6\)](#) words substituted by [S.I. 2008/2335 reg. 3\(3\)\(c\)](#)
- [reg. 4\(4\)\(4A\)](#) substituted for [reg. 4\(4\)](#) by [S.I. 2006/3295 reg. 5](#)
- [reg. 4\(4\)\(4A\)](#) substituted for [reg. 4\(4\)](#) by [S.I. 2006/3099 reg. 4](#)
- [reg. 5\(2\)\(aa\)](#) inserted by [S.I. 2008/2093 reg. 4](#)
- [reg. 5\(2\)\(aa\)](#) inserted by [S.I. 2008/2335 reg. 4](#)
- [reg. 7\(2A\)](#) inserted by [S.I. 2006/3295 reg. 6](#)
- [reg. 7\(2A\)](#) inserted by [S.I. 2006/3099 reg. 5](#)
- [reg. 8\(3A\)](#) inserted by [S.I. 2006/3295 reg. 7](#)
- [reg. 8\(3A\)](#) inserted by [S.I. 2006/3099 reg. 6](#)
- [reg. 9\(4A\)](#) inserted by [S.I. 2006/3295 reg. 8](#)
- [reg. 9\(4A\)](#) inserted by [S.I. 2006/3099 reg. 7](#)
- [reg. 10\(2\)\(aa\)](#) inserted by [S.I. 2008/2093 reg. 6\(1\)\(a\)](#)
- [reg. 10\(2\)\(aa\)](#) inserted by [S.I. 2008/2335 reg. 6\(1\)\(a\)](#)
- [reg. 13\(2\)\(d\)](#) added by [S.I. 2006/3295 reg. 9\(b\)](#)
- [reg. 13\(2\)\(d\)](#) and word inserted by [S.I. 2006/3099 reg. 8\(b\)](#)
- [reg. 13\(3A\)](#) inserted by [S.I. 2008/2093 reg. 7\(1\)](#)
- [reg. 13\(3A\)](#) inserted by [S.I. 2008/2335 reg. 7\(1\)](#)
- [reg. 14\(2A\)](#) inserted by [S.I. 2006/3295 reg. 10](#)

- reg. 14(2A) inserted by S.I. 2006/3099 reg. 9
- reg. 14(2A) word substituted by S.I. 2008/2093 reg. 7(2)(d)
- reg. 14(2A) word substituted by S.I. 2008/2335 reg. 7(2)(d)
- reg. 19(3)(bb) inserted by S.I. 2008/2093 reg. 7(5)(b)
- reg. 19(3)(bb) inserted by S.I. 2008/2335 reg. 7(5)(b)
- reg. 21(1)(c)(iv) added by S.I. 2006/3295 reg. 15(c)
- reg. 21(1)(c)(iv) and word inserted by S.I. 2006/3099 reg. 12(c)
- reg. 24A inserted by S.I. 2006/3295 reg. 17
- reg. 25(4)(c) and word added by S.I. 2006/3295 reg. 18(a)
- reg. 25(4)(c) and word added by S.I. 2006/3099 reg. 14(a)
- reg. 25(9A)-(9D) inserted by S.I. 2008/2093 reg. 9(2)(c)
- reg. 25(9A)-(9D) inserted by S.I. 2008/2335 reg. 9(2)(c)
- reg. 25(16)(bb) inserted by S.I. 2008/2093 reg. 9(2)(g)(i)
- reg. 25(16)(bb) inserted by S.I. 2008/2335 reg. 9(2)(g)(i)
- reg. 26A and heading inserted by S.I. 2000/2867 reg. 2(5)
- reg. 26A(1)-(21) substituted by S.I. 2008/2093 reg. 9(3)
- reg. 26A(3) word substituted by S.I. 2008/2335 reg. 9(3)(a)
- reg. 26A(4) words substituted by S.I. 2008/2335 reg. 9(3)(b)
- reg. 26A(8) words inserted by S.I. 2008/2335 reg. 9(3)(c)
- reg. 26A(9) words substituted by S.I. 2008/2335 reg. 9(3)(d)
- reg. 26A(10)(a) words inserted by S.I. 2008/2335 reg. 9(3)(e)(i)
- reg. 26A(10)(b) words inserted by S.I. 2008/2335 reg. 9(3)(e)(ii)
- reg. 26A(13)(a) words inserted by S.I. 2008/2335 reg. 9(3)(f)
- reg. 26A(17)(a) word substituted by S.I. 2008/2335 reg. 9(3)(g)
- reg. 26A(28)(b) words substituted by S.I. 2008/2335 reg. 9(3)(h)(i)
- reg. 26A(28)(d)(i) word substituted by S.I. 2008/2335 reg. 9(3)(h)(ii)
- reg. 26B inserted by S.I. 2008/2093 reg. 9(4)
- reg. 27(3)(aa) inserted by S.I. 2008/2093 reg. 10(a)
- reg. 27(3)(aa) inserted by S.I. 2008/2335 reg. 10(a)
- reg. 28(2)(c) and word added by S.I. 2006/3295 reg. 20(c)
- reg. 28(2)(c) and word inserted by S.I. 2006/3099 reg. 16(b)
- reg. 36-38 added by S.I. 2006/3295 reg. 22
- reg. 37(2) words substituted by S.I. 2008/2335 reg. 12(a)
- reg. 37(3) words substituted by S.I. 2008/2335 reg. 12(b)