
STATUTORY INSTRUMENTS

2004 No. 1633

**The Environmental Assessment of Plans
and Programmes Regulations 2004**

PART 1

INTRODUCTORY PROVISIONS

Interpretation

2.—(1) In these Regulations—

“consultation body” has the meaning given by regulation 4;

“England” includes the territorial waters of the United Kingdom that are not part of Northern Ireland, Scotland or Wales, and waters in any area for the time being designated under section 1(7) of the Continental Shelf Act 1964(1);

“the Environmental Assessment of Plans and Programmes Directive” means Directive [2001/42/EC\(2\)](#) of the European Parliament and of the Council on the assessment of the effects of certain plans and programmes on the environment;

“the Habitats Directive” means Council Directive [92/43/EEC](#) on the conservation of natural habitats and of wild flora and fauna, as last amended by Council Directive [97/62/EC\(3\)](#);

“Northern Ireland” has the meaning given by section 98 of the Northern Ireland Act 1998(4);

“plans and programmes” means plans and programmes, including those co-financed by the European Community, as well as any modifications to them, which—

(a) are subject to preparation or adoption by an authority at national, regional or local level;
or

(b) are prepared by an authority for adoption, through a legislative procedure by Parliament or Government; and, in either case,

(c) are required by legislative, regulatory or administrative provisions; and

“responsible authority”, in relation to a plan or programme, means—

(a) the authority by which or on whose behalf it is prepared; and

(b) where, at any particular time, that authority ceases to be responsible, or solely responsible, for taking steps in relation to the plan or programme, the person who, at that time, is responsible (solely or jointly with the authority) for taking those steps;

“Scotland” has the meaning given by section 126 of the Scotland Act 1998(5); and

“Wales” has the meaning given by section 155 of the Government of Wales Act 1998(6).

(1) 1964 c. 29.

(2) O.J. No. L 197, 21.07.2001, p.30.

(3) O.J. No. L 206, 22.7.1992. The latest amending Directive is at O.J. No. L 305, 8.11.1997, p.42.

(4) 1998 c. 47. See also the orders made under section 98.

(5) 1998 c. 46. See also the orders made under section 126.

(6) 1998 c. 38. See also the orders made under section 155.

(2) Other expressions used both in these Regulations and in the Environmental Assessment of Plans and Programmes Directive have the same meaning in these Regulations as they have in that Directive.