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STATUTORY INSTRUMENTS

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**2007 No. 1518**

**The Marine Works (Environmental  
Impact Assessment) Regulations 2007**

[<sup>F1</sup>PART 5

MISCELLANEOUS

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**Textual Amendments**

- F1** Regulations revoked (S.) (16.5.2017) by [The Marine Works \(Environmental Impact Assessment\) \(Scotland\) Regulations 2017 \(S.S.I. 2017/115\)](#), **reg. 42(a)** (with regs. 1(2), 40, 41)

**Access to review procedure before a court**

**28.**—[<sup>F2</sup>(1)] In relation to Scotland, any non-governmental organisation promoting environmental protection and meeting any other requirements under the law shall be deemed to have an interest for the purposes of [<sup>F3</sup>Article 11(1)(a)] of the EIA Directive and rights capable of being impaired for the purposes of [<sup>F4</sup>Article 11(1)(b)] of the EIA Directive.

[<sup>F5</sup>(2) For the purpose of paragraph (1), Article 11(1) of the EIA Directive is to be read as if—

- (a) in the words before point (a), “Member States” were “Scottish Ministers”;
- (b) in point (b), “a Member State” were “Scotland”.]

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**Textual Amendments**

- F2** Reg. 28 renumbered as reg. 28(1) (31.12.2020) by [The Environment, Food and Rural Affairs \(Environmental Impact Assessment\) \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/25\)](#), regs. 1(1), **6(9)(a)**; 2020 c. 1, **Sch. 5 para. 1(1)**
- F3** Words in reg. 28 substituted (27.3.2015) by [The Marine Works \(Environmental Impact Assessment\) \(Amendment\) Regulations 2015 \(S.I. 2015/446\)](#), regs. 1, **7(a)**
- F4** Words in reg. 28 substituted (27.3.2015) by [The Marine Works \(Environmental Impact Assessment\) \(Amendment\) Regulations 2015 \(S.I. 2015/446\)](#), regs. 1, **7(b)**
- F5** Reg. 28(2) inserted (31.12.2020) by [The Environment, Food and Rural Affairs \(Environmental Impact Assessment\) \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/25\)](#), regs. 1(1), **6(9)(b)**; 2020 c. 1, **Sch. 5 para. 1(1)**

**Revocation**

**29.** Part 2 of, and Schedules 1 and 2 to, the Harbour Works (Environmental Impact Assessment) Regulations 1999(1) are revoked.

### **Transitional and saving provisions**

**30.**—(1) These Regulations shall not apply in relation to an application made before 24th June 2007.

(2) The revocation made by regulation 29 does not affect the application of the provisions referred to in that regulation in relation to an application made before 24th June 2007.

### **[<sup>F6</sup>Review**

**31.**—(1) The Secretary of State must, from time to time—

- (a) carry out a review of the regulatory provision contained in these Regulations; and
- (b) publish a report setting out the conclusions of the review.

(2) The first report must be published before 16th May 2022.

(3) Subsequent reports must be published at intervals not exceeding 5 years.

(4) Section 30(3) of the Small Business, Enterprise and Employment Act 2015 requires that a review carried out under this regulation must, so far as is reasonable, have regard to how the EIA Directive is implemented in other member States.

(5) Section 30(4) of the Small Business, Enterprise and Employment Act 2015 requires that a report published under this regulation must, in particular—

- (a) set out the objectives intended to be achieved by the regulatory provision referred to in paragraph (1)(a);
- (b) assess the extent to which those objectives are achieved;
- (c) assess whether those objectives remain appropriate; and
- (d) if those objectives remain appropriate, assess the extent to which they could be achieved in another way which involves less onerous regulatory provision.

(6) In this regulation, “regulatory provision” has the same meaning as in sections 28 to 32 of the Small Business, Enterprise and Employment Act 2015 (see section 32 of that Act).]]

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#### **Textual Amendments**

**F6** [Reg. 31](#) inserted (16.5.2017) by [The Marine Works \(Environmental Impact Assessment\) \(Amendment\) Regulations 2017 \(S.I. 2017/588\)](#), regs. 1(1), [27](#) (with reg. 34)

**Changes to legislation:**

There are currently no known outstanding effects for the The Marine Works (Environmental Impact Assessment) Regulations 2007, PART 5.