

STATUTORY INSTRUMENTS

2017 No. 580

ELECTRICITY, ENGLAND AND WALES

The Electricity Works (Environmental Impact Assessment) (England and Wales) Regulations 2017

<i>Made</i>	- - - -	<i>21st April 2017</i>
<i>Laid before Parliament</i>		<i>24th April 2017</i>
<i>Coming into force</i>	- -	<i>16th May 2017</i>

The Secretary of State is a Minister designated ^{M1} for the purposes of section 2(2) of the European Communities Act 1972 ^{M2} in relation to the environment.

The Secretary of State has taken into account the selection criteria set out in Annex III to Directive 2011/92/EU of the European Parliament and of the Council of 13th December 2011 on the assessment of the effects of certain public and private projects on the environment ^{M3}.

The Secretary of State, in exercise of the powers conferred by section 2(2) of the European Communities Act 1972 and by section 36C(2) of, and paragraph 1(3) of Schedule 8 to, the Electricity Act 1989 ^{M4}, makes the following Regulations:

Modifications etc. (not altering text)

- C1** Regulations: power to amend or revoke conferred (26.12.2023) by [Levelling-up and Regeneration Act 2023 \(c. 55\)](#), ss. 164(3), 255(5), **Sch. 14 Pt. 1** (with s. 247)

Marginal Citations

- M1** See article 2(a) of [S.I. 2008/301](#).
- M2** [1972 c.68](#). Section 2(2) was amended by paragraph 15(3) of Schedule 8 to the [Scotland Act 1998 \(c.46\)](#), **section 27** of the [Legislative and Regulatory Reform Act 2006 \(c.51\)](#) and Part 1 of the Schedule to the [European Union \(Amendment\) Act 2008 \(c.7\)](#). By virtue of the amendment of section 1(2) of the European Communities Act 1972 by section 1 of the [European Economic Area Act 1993 \(c.51\)](#), regulations may be made under section 2(2) of the European Communities Act 1972 to implement obligations created or arising under the Agreement on the European Economic Area signed at Oporto on 2nd May 1992 together with the Protocol adjusting that Agreement signed at Brussels on 17th March 1993. Annex XX to that Agreement provides that the term “Member State” in Directive 2011/92/EU includes Iceland, Liechtenstein and Norway. Regulation 24 of these Regulations makes provision in relation to “EEA states”.
- M3** O.J. L 26, 28.1.2012, p. 1. The Directive was amended by Directive 2014/52/EU of the European Parliament and of the Council of 16th April 2014, O.J. L 124, 25.4.2014, p. 1.

Changes to legislation: *There are currently no known outstanding effects for the The Electricity Works (Environmental Impact Assessment) (England and Wales) Regulations 2017, Introductory Text. (See end of Document for details)*

M4 1989 c.29. Section 36C was inserted by section 20 of the [Growth and Infrastructure Act 2013 \(c.27\)](#). Section 36C was amended by section 39 of, and paragraph 48 of Schedule 6 to, the [Wales Act 2017 \(c.4\)](#), but these amendments are not yet in force. “Regulations” in subsection (2) of section 36C is defined in subsection (6) to include regulations made by the Secretary of State other than in the case of section 36 consents relating to generating stations (or proposed generating stations) in Scotland. Functions of the Secretary of State under Schedule 8 of the Electricity Act 1989, in so far as exercisable in or as regards Scotland, have been transferred to the Scottish Ministers by [S.I. 1999/1750](#).

Changes to legislation:

There are currently no known outstanding effects for the The Electricity Works (Environmental Impact Assessment) (England and Wales) Regulations 2017, Introductory Text.