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STATUTORY INSTRUMENTS

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**2017 No. 588**

**The Marine Works (Environmental Impact Assessment) (Amendment) Regulations 2017**

**Amendment of regulation 9**

**8.—**(1) Regulation 9 (projects serving national defence purposes) is amended as follows.

(2) For paragraph (1) substitute—

“(1) The Secretary of State may direct that an environmental impact assessment is not required in relation to a regulated activity or a part of a regulated activity where—

- (a) the project in relation to which the regulated activity is being carried out has national defence as its sole purpose; and
- (b) the Secretary of State considers that an environmental impact assessment in relation to the regulated activity or the part of the regulated activity would have an adverse effect on the fulfilment of that purpose.”.

(3) After paragraph (1), insert—

“(1A) A direction under paragraph (1) that an environmental impact assessment is not required in relation to a regulated activity, or a part of a regulated activity, has the effect that the regulated activity, or the part of the regulated activity, is to be disregarded in any environmental impact assessment in relation to the regulated activity.”.

(4) In paragraphs (2) and (3), for “shall” substitute “must”.