
WELSH STATUTORY INSTRUMENTS

2004 No. 1656

**The Environmental Assessment of Plans
and Programmes (Wales) Regulations 2004**

PART 3

ENVIRONMENTAL REPORTS AND CONSULTATION PROCEDURES

Transboundary consultations

14.—(1) Where a responsible authority, other than the National Assembly, is of the opinion that a plan or programme for which it is the responsible authority is likely to have significant effects on the environment of [F1a] Member State, it must, as soon as reasonably practicable after forming that opinion—

- (a) notify the National Assembly of its opinion and of the reasons for it; and
- (b) supply the National Assembly with a copy of the plan or programme concerned and of the accompanying environmental report.

(2) Where the National Assembly has been notified under paragraph (1)(a), the responsible authority must, within such period as the National Assembly may specify by notice in writing to the authority (such period being not less than 21 days), provide the National Assembly with such other information about the plan or programme, or its accompanying environmental report, as it may reasonably require.

(3) Paragraph (4) applies where—

- (a) the National Assembly, whether in consequence of a notice under paragraph (1)(a) or otherwise, considers that the implementation of a plan or programme is likely to have significant effects on the environment of [F2a] Member State; or
- (b) a Member State that is likely to be significantly affected by the implementation of such a plan or programme requests the documents specified in paragraph (4)(a).

(4) Where this paragraph applies, the National Assembly must—

- (a) forward a copy of the plan or programme, and of its accompanying environmental report, to the Secretary of State;
- (b) notify the responsible authority that paragraph (3)(a) or (b) applies, as the case may be; and
- (c) direct the responsible authority that it must not adopt, or submit to the legislative procedure for adoption, the plan or programme until the consultation exercise has been concluded.

Textual Amendments

- F1** Word in [reg. 14\(1\)](#) substituted (31.12.2020) by [The Environmental Assessment of Plans and Programmes and the Environmental Impact Assessment \(Miscellaneous Amendments\) \(Wales\) \(EU Exit\) Regulations 2019 \(S.I. 2019/245\)](#), regs. 1(2)(3), **2(5)**; 2020 c. 1, Sch. 5 para. 1(1)

Changes to legislation: There are currently no known outstanding effects for the The Environmental Assessment of Plans and Programmes (Wales) Regulations 2004, Section 14. (See end of Document for details)

F2 Word in reg. 14(3)(a) substituted (31.12.2020) by The Environmental Assessment of Plans and Programmes and the Environmental Impact Assessment (Miscellaneous Amendments) (Wales) (EU Exit) Regulations 2019 (S.I. 2019/245), regs. 1(2)(3), **2(5)**; 2020 c. 1, Sch. 5 para. 1(1)

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