
WELSH STATUTORY INSTRUMENTS

2017 No. 565

**The Environmental Impact Assessment
(Agriculture) (Wales) Regulations 2017**

PART 3

Consent

Procedure where a significant project in Wales may affect [^{F1}an]EEA State

13.—(1) As soon as possible after receiving an application for consent for a significant project, the Welsh Ministers must consider whether that project is also likely to have significant effects on the environment in [^{F2}an] EEA State.

(2) If the Welsh Ministers consider that a project is likely to have significant effects in accordance with paragraph (1), or an EEA State likely to be significantly affected requests, the Welsh Ministers must send to that EEA State—

- (a) details of the nature and location of the significant project;
- (b) any information the Welsh Ministers have on the impact the project is likely to have on that EEA State;
- (c) an indication of whether the Welsh Ministers are minded to grant consent for the project and the likely conditions attached to the consent; and
- (d) a request that the EEA State indicate, within a reasonable timeframe set by the Welsh Ministers, whether it wishes to participate in the procedure under these Regulations.

(3) If an EEA State indicates that it wishes to participate in the procedure under these Regulations, the Welsh Ministers must provide that EEA State with—

- (a) a copy of the application for consent, the environmental statement and any further information they consider relevant to the application; and
- (b) information on the procedure under these Regulations.

(4) ^{F3}... The Welsh Ministers must—

- (a) arrange for the documents and information in paragraphs (2) and (3) to be made available to the authorities [^{F4}which the EEA State has designated to be consulted about the project] and the public concerned in the territory of the EEA State; and
- (b) ensure that those authorities and the public concerned are given an opportunity to provide the Welsh Ministers with their opinion on the information and documents supplied, within a reasonable time prior to a decision for consent being taken.

(5) ^{F5}... The Welsh Ministers must—

- (a) enter into consultations with the EEA State concerned about, amongst other things, the potential significant effects of the project on the environment of that State and the measures envisaged to reduce or eliminate those effects; and

- (b) seek to agree with the EEA State concerned, a reasonable timeframe for those consultations, which must include time for consideration of any opinions received under paragraph (4)(b).

Textual Amendments

- F1** Word in [reg. 13](#) heading 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), [5\(6\)\(a\)](#); 2020 c. 1, Sch. 5 para. 1(1)
- F2** Word in [reg. 13\(1\)](#) 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), [5\(6\)\(a\)](#); 2020 c. 1, Sch. 5 para. 1(1)
- F3** Words in [reg. 13\(4\)](#) omitted (31.12.2020) by virtue of [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), [5\(6\)\(b\)\(i\)](#); 2020 c. 1, Sch. 5 para. 1(1)
- F4** Words in [reg. 13\(4\)\(a\)](#) 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), [5\(6\)\(b\)\(ii\)](#); 2020 c. 1, Sch. 5 para. 1(1)
- F5** Words in [reg. 13\(5\)](#) omitted (31.12.2020) by virtue of [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), [5\(6\)\(c\)](#); 2020 c. 1, Sch. 5 para. 1(1)

Commencement Information

- I1** [Reg. 13](#) in force at 16.5.2017, see [reg. 1\(3\)](#)

Changes to legislation:

There are currently no known outstanding effects for the The Environmental Impact Assessment (Agriculture) (Wales) Regulations 2017, Section 13.