

SCHEDULE 5

Regulation 6

Amendment of the Conservation and Environmental Impact Assessment Provisions

The Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995

1. The Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995⁽¹⁾ are amended as follows.

(1) In regulation 2(2A)(a), for heads (i) and (ii) substitute—

- “(i) “the Habitats Directive” means Council [Directive 92/43/EEC](#)⁽²⁾ on the conservation of natural habitats and of wild fauna and flora, as last amended by Council [Directive 2013/17/EU](#)⁽³⁾;
- (ii) “the Wild Birds Directive” means [Directive 2009/147/EC](#)⁽⁴⁾ of the European Parliament and of the Council on the conservation of wild birds, as last amended by Council [Directive 2013/17/EU](#); and,”.

The Environmental Assessment of Plans and Programmes Regulations (Northern Ireland) 2004

2. The Environmental Assessment of Plans and Programmes Regulations (Northern Ireland) 2004⁽⁵⁾ are amended as follows.

3. In regulation 2(1) (Interpretation), in the definition of “the Habitats Directive”, for “[97/62/EC](#)” substitute “[2013/17/EU](#)⁽⁶⁾”;

4. In regulation 5(2) (Environmental assessment for plans and programmes: first formal preparatory act on or after 21 July 2004), for sub-paragraph (b) substitute—

- “(b) sets the framework for future development consent of projects listed in Annex I or II to [Directive 2011/92/EU](#) on the assessment of the effects of certain public and private projects on the environment as last amended by [Directive 2014/52/EU](#) of the European Parliament and of the Council of 16 April 2014 ⁽⁷⁾

5. In Schedule 2 (information on environmental reports), in paragraph 4, for “Council [Directive 79/409/EEC](#) on the conservation of wild birds” substitute “Council [Directive 2009/147/EC](#) of the European Parliament and of the Council on the conservation of wild birds as last amended by Council [Directive 2013/17/EU](#)”.

The Environmental Impact Assessment (Forestry) Regulations (Northern Ireland) 2006

6. The Environmental Assessment (Forestry) Regulations (Northern Ireland) 2006⁽⁸⁾ are amended as follows.

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- (1) [S.R.1995 No. 380](#) as amended by [S.R.2004 No. 435](#), [S.R. 2007 No. 345](#), [S.R. 2009 No. 8](#), [S.R. 2011 No. 216](#), [S.R. 2012 No. 368](#), [2013 c.10 \(N.I.\)](#) and [S.R. 2015 No. 182](#)
- (2) OJ No L 206, 22.7.1992, p.7, as amended by Council [Directive 97/62/EC](#) of 27 October 1997 OJ No L 305 p. 42, 8.11.1997; Regulation (EC) No 1882/2003 of the European Parliament and of the Council of 29 September 2003 OJ No L 284 p.1, 31.10.2003; Council [Directive 2006/105/EC](#) of 20 November 2006 OJ No L 363 p.368, 20.12.2006; and, last amended by Council [Directive 2013/17/EU](#) of 13 May 2013 OJ No L 158, p.193, 10.6.2013. Further amendments were made by Treaties of Accession in 2003 and 2007 and for corrections see OJ No L 176, 20.7.1993, p. 29 (1992/43) and OJ No L 80, 21.3.2007, p.15
- (3) OJ No L 158, 10.6.2013, p.193
- (4) OJ No L 20, 26.1.2010, p.7, as last amended by Council [Directive 2013/17/EU](#) (OJ No L 158, 10.6.2013, p.193). This instrument codifies, with minor amendments, Council [Directive 1979/409/EEC](#) as amended.
- (5) [S.R. 2004 No. 280](#)
- (6) OJ No L 20, 26.1.2010, p.7, as amended by OJ No L 158, 10.6.2013 p.193
- (7) OJ No L 26, 28.1.2012 as amended by OJ No L 124, 25.4.2014, p.1-18
- (8) [S.R. 2006 No. 518](#) as amended by [S.R. 2007 No. 355](#) and [S.R. 2017 No. 86](#)

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

7. In Schedule 1 (Information for inclusion in Environmental Statements), in paragraph 9 after “nuclear installations” insert “as last amended by Council Directive 2014/87/Euratom **(9)**”;

8. In Schedule 3 (Projects having significant effects on the environment: selection criteria), in paragraph 2(c)(v) at the end add “as each last amended by Council Directive 2013/17/EU**(10)**”;

9. In Schedule 4 (Environmental factors), in paragraph (b) at the end add “as last amended by Council Directive 2013/17/EU”.

The Environmental Impact Assessment (Agriculture) Regulations (Northern Ireland) 2007

10. The Environmental Impact Assessment (Agriculture) Regulations (Northern Ireland) 2007**(11)** are amended as follows.

11. In Schedule 2 paragraph 2(c)(v) for “Directive 92/43/EEC and Directive 2009/147/EEC” substitute “the Habitats Directive or the Birds Directive”;

12. In Schedule 3 (Information for inclusion in the environmental statements) in Part 2, paragraph 8 after “Council Directive 2009/71/Euratom” insert “(as amended by Council Directive 2014/87/Euratom**(12)**)”.

The Water Resources (Environmental Impact Assessment) Regulations (Northern Ireland) 2017

13. The Water Resources (Environmental Impact Assessment) Regulations (Northern Ireland) 2017**(13)** are amended as follows.

14. In regulation 4(b) at the end add “as each last amended by Council Directive 2013/17/EU**(14)**”.

15. In Schedule 3 (Information about Proposed Project), in paragraph 8 after “Council Directive 2009/71/Euratom” insert “(as amended by Council Directive 2014/87/Euratom)**(15)**”.

(9) OJ No L 219, 25.7.2014, p.42-52

(10) OJ No L 158, 10.6.2013, p.193

(11) S.R. 2007 No. 421 as amended by S.R. 2008 No. 278 and S.R. 2017 No. 198

(12) OJ No L 219, 25.7.2014, p.42-52

(13) S.R. 2017 No. 85

(14) OJ No L 158, 10.6.2013, p.193

(15) OJ No L 219, 25.7.2014, p.42-52