
SCOTTISH STATUTORY INSTRUMENTS

2004 No. 258

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

PART 2

ENVIRONMENTAL ASSESSMENT FOR PLANS AND PROGRAMMES

Directions as regards plans and programmes

7.—(1) The Scottish Ministers may at any time direct a responsible authority to send to them a copy of any plan or programme which—

- (a) is being prepared;
- (b) has been adopted; or
- (c) has been submitted to the legislative procedure for the purposes of its adoption,

by the responsible authority, and in respect of which the requirements of these Regulations have not been carried out.

(2) The Scottish Ministers shall consider any plan or programme sent to them in accordance with paragraph (1), together with such information relating to it as they may reasonably require the responsible authority to provide.

(3) Where the Scottish Ministers consider that the plan or programme falls within—

- (a) regulation 9(a) or (b), direct the responsible authority to carry out an assessment in accordance with Part 3 of these Regulations;
- (b) regulation 9(c) or 10, direct the responsible authority to carry out a determination in accordance with regulation 13(1).

(4) A responsible authority shall comply with any direction given to it under paragraph (1) or (3).