
SCOTTISH STATUTORY INSTRUMENTS

2019 No. 178

**The Environmental Assessment (EU Exit)
(Scotland) (Amendment) Regulations 2019**

PART 2

Amendment of the Act to update legislative references, made in exercise of powers conferred by section 2(2) of the European Communities Act 1972

Amendment of the Act to update references

2.—(1) The Act is amended in accordance with paragraphs (2) to (4).

(2) In section 5(3)(b) (qualifying plans and programmes), for “Council [Directive 97/62/EC](#)” substitute “Council [Directive 2013/17/EU](#)(1)”.

(3) In schedule 1 (projects)—

(a) in paragraph 9—

(i) for “Annex IIA to [Directive 75/442/EEC](#)” substitute “Annex 1 of [Directive 2008/98/EC](#) of the European Parliament and of the Council(2)”, and

(ii) for “(that is to say, waste to which [Directive 91/689/EEC](#) applies)” substitute “as defined in Article 3.2 of that Directive”,

(b) in paragraph 10, for “Annex IIA to [Directive 75/442/EEC](#)” substitute “Annex 1 of [Directive 2008/98/EC](#) of the European Parliament and of the Council”,

(c) in paragraph 13, for “[Directive 91/271/EEC](#)” substitute “Council [Directive 91/271/EEC](#)(3)”, and

(d) in paragraph 44—

(i) for “Council [Directive 85/337/EEC](#)” substitute “[Directive 2011/92/EU](#) of the European Parliament and of the Council(4)”, and

(ii) omit “(as last amended by Council [Directive 2003/35/EC](#))”.

(4) In schedule 3 (information for environmental reports), in paragraph 4—

(a) after “birds” insert “, [Directive 2009/147/EC](#) of the European Parliament and of the Council on the conservation of wild birds(5)”, and

(b) for “Council [Directive 97/62/EC](#)” substitute “Council [Directive 2013/17/EU](#)(6)”.

(1) OJ L 158, 10.6.2013, p.193.

(2) OJ L 312, 22.11.2008, p.3, as last amended by Directive (EU) 2018/851 of the European Parliament and of the Council (OJ L 150, 14.6.2018, p.109).

(3) OJ L 135, 30.5.1991, p.40, as last amended by Council [Directive 2013/64/EU](#) (OJ L 353, 28.12.2013, p.8).

(4) OJ L 26, 28.1.2012, p.1, as last amended by [Directive 2014/52/EU](#) of the European Parliament and of the Council (OJ L 124, 25.4.2014, p.1).

(5) OJ L 20, 26.1.2010, p.7, as last amended by Council [Directive 2013/17/EU](#) (OJ L 158, 10.6.2013, p.193).

(6) OJ L 158, 10.6.2013, p.193.

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