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STATUTORY INSTRUMENTS

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**2017 No. 580**

The Electricity Works (Environmental Impact Assessment) (England and Wales) Regulations 2017

PART 3

Miscellaneous

**Exemptions for defence and civil emergencies**

**38.**—(1) The Secretary of State may direct in writing that Part 2 of these Regulations or, in the case of a transitional application, the requirements of the 2000 Regulations cease to have effect in relation to an application or a proposed application for a section 36 or 37 consent, or a section 36 variation, for development where—

- (a) the sole purpose of the development is defence or the response to civil emergencies (or both); and
- (b) the Secretary of State thinks that the application of the procedures in these Regulations or, as the case may be, the 2000 Regulations would have an adverse effect on that purpose or those purposes.

(2) In this regulation—

“2000 Regulations” means the Electricity Works (Environmental Impact Assessment) (England and Wales) Regulations 2000;

“transitional application” means an application for a section 36 or 37 consent, or a section 36 variation, that must be dealt with under the 2000 Regulations (see regulation 43 (transitional provision)).