
STATUTORY INSTRUMENTS

2019 No. 377

**The Roads (Environmental Impact Assessment)
(Amendment) (Northern Ireland) (EU Exit) Regulations 2019**

Amendment of superseded provisions of the Roads (Northern Ireland) Order 1993

3.—(1) Articles 67, 67A and 67B of the Roads (Northern Ireland) Order 1993, as they continue to have effect by virtue of regulation 8 of the Roads (Environmental Impact Assessment) Regulations (Northern Ireland) 2017⁽¹⁾, are amended as follows.

(2) In Article 67 (environmental impact assessment)—

(a) in paragraph (1)—

(i) for the definition of “the Directive” substitute—

““the Directive” means [Directive 2011/92/EU](#) of the European Parliament and of the Council on the assessment of the effects of certain public and private projects on the environment, as it had effect prior to its amendment by [Directive 2014/52/EU](#)(2);”;

(ii) for the definition of “EEA State” substitute—

““EEA State” has the meaning given in Schedule 1 to the Interpretation Act 1978;”;

(b) after paragraph (2) insert—

“(2A) For the purposes of this Part, Annex III is to be read with the following modifications—

(a) in point 2(c)(v), for the words from “Member States’ legislation” to the end, there were substituted “retained EU law (having the same meaning as in the European Union (Withdrawal) Act 2018) or other statutory provision (as defined in section 1(f) of the Interpretation Act (Northern Ireland) 1954), including areas forming part of Natura 2000 (as defined in regulation 2(2) of the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995)”;

(b) in point 2(c)(vi), the reference to Union legislation were a reference to retained EU law.”;

(c) in paragraph (3), for “falls within Annex I or II” substitute “is of a type specified in Annex I or Annex II”;

(d) in paragraph (4)—

(i) in sub-paragraph (a), for “falls within” substitute “is of a type specified in”;

(ii) in sub-paragraph (b), for “falling within” substitute “of a type specified in”.

(3) In Article 67A (procedure), in paragraph (7)(bb)(iii), omit “under Article 6(1) of the Directive”.

(4) In Article 67B (other EEA States)—

(1) [S.R. 2017 No. 87](#).

(2) [OJNo. L 26, 28.1.2012, p. 1](#).

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- (a) for the heading, substitute “EEA States”;
- (b) in paragraph (1)(a), for “another EEA State” substitute “an EEA State”;
- (c) in paragraph (5), in sub-paragraph (a)(i), for “referred to in Article 6(1) of the Directive” substitute “which the EEA State has designated to be consulted about the project”;
- (d) in paragraph (6), omit “, in accordance with Article 7(4) of the Directive”.