
WELSH STATUTORY INSTRUMENTS

2007 No. 2610

The Environmental Impact Assessment and
Natural Habitats (Extraction of Minerals by
Marine Dredging) (Wales) Regulations 2007

PART 3

PRELIMINARY MATTERS

Preliminary determinations of the Welsh Ministers

6.—(1) A person who proposes to carry out dredging may request the Welsh Ministers' preliminary determination as to—

- (a) whether or not the dredging would constitute a relevant project; and
- (b) whether or not the dredging would constitute a habitats project.

(2) Before making a determination in response to a request under paragraph (1), the Welsh Ministers must consult—

- (a) the owner (if the owner is not the person requesting the determination); and
- (b) the appropriate consultation bodies.

(3) The Welsh Ministers may ask the person making the request under paragraph (1) to supply such further information within such specified period and in such form as may reasonably be required.

(4) If the person making the request under paragraph (1) fails to supply the information requested within the specified period or such further period as the Welsh Ministers may allow, the request will be deemed to be withdrawn.

(5) In making a preliminary determination in response to an application under paragraph (1) (a) the Welsh Ministers must take into account such of the selection criteria as are relevant in the particular case.

(6) As soon as reasonably practicable after making a preliminary determination, the Welsh Ministers must—

- (a) send a copy of it to the person making the request under paragraph (1) and to any persons consulted under paragraph (2); and
- (b) take such steps as the Welsh Ministers consider appropriate to ensure that it is made available to the public concerned⁽¹⁾.

(1) For “the public concerned”, see Article 1 of the EIA Directive.