



Environmental Assessment (Scotland) Act 2005 2005 asp 15

PART 5

GENERAL

21 Crown application

This Act binds the Crown.

22 Orders

- (1) Any power of the Scottish Ministers to make orders under this Act is exercisable by statutory instrument.
- (2) Any such power includes power to make—
 - (a) such incidental, supplemental, consequential, transitional, transitory or saving provision as the Scottish Ministers consider necessary or expedient; and
 - (b) different provision for different purposes.
- (3) A statutory instrument containing an order under this Act except—
 - (a) where subsection (4) applies, an order under section 23; or
 - (b) an order under section 26,is subject to annulment in pursuance of a resolution of the Parliament.
- (4) No order under section 23 which amends an Act is to be made unless a draft of the statutory instrument containing the order has been laid before, and approved by a resolution of, the Parliament.

23 Ancillary provision

The Scottish Ministers may by order make such incidental, supplemental, consequential, transitional, transitory or saving provision as the Scottish Ministers consider necessary or expedient for the purposes or in consequence of this Act.

24 Environmental Assessment of Plans and Programmes (Scotland) Regulations 2004

The Environmental Assessment of Plans and Programmes (Scotland) Regulations 2004 ([S.S.I. 2004/258](#)) are revoked.

25 Interpretation

(1) In this Act—

“the Directive” means Directive [2001/42/EC](#) of the European Parliament and of the Council on the assessment of the effects of certain plans and programmes on the environment;

“the public” includes any legal person and any body of persons (whether incorporated or not).

(2) Unless the context otherwise requires, expressions used in both this Act and in the Directive shall be construed in accordance with the Directive.

26 Commencement and short title

(1) The provisions of this Act, except this section and sections 21, 22, 23 and 25, come into force on such day as the Scottish Ministers may by order appoint.

(2) Different days may be so appointed for different provisions and different purposes.

(3) This Act may be cited as the Environmental Assessment (Scotland) Act 2005.