Environmental Assessment (Scotland) Act 2005

2005 asp 15

PART 1

ENVIRONMENTAL ASSESSMENT FOR PLANS AND PROGRAMMES

2 Responsible authorities

(1) In this Act, a responsible authority is any person, body or office-holder exercising functions of a public character.

(2) The responsible authority in relation to a particular plan or programme is the authority by whom, or on whose behalf, the plan or programme is prepared.

(3) Where more than one authority is responsible for a plan or programme (or part of it) the responsible authority shall be—

(a) the authority determined by agreement between those authorities; or

(b) if there is no such agreement, the authority determined by the Scottish Ministers.

(4) But for the purposes of section 5(4)(a) the responsible authorities are—

(a) the Scottish Ministers;

(b) any holder of an office in the Scottish Administration which is not a ministerial office;

(c) the Scottish Parliament;

(d) the Scottish Parliamentary Corporate Body;

(e) a Scottish public authority with mixed functions or no reserved functions;

(f) any other person, body or office-holder of a description (and to such extent) as may be specified by the Scottish Ministers by order.