

ANNEX I

PROVISIONS FOR PLANS AND PROGRAMMES REFERRED TO IN ARTICLE 2

- (a) Article 7(1) of Council Directive 75/442/EEC of 15 July 1975 on waste⁽¹⁾.
- (b) Article 6 of Council Directive 91/157/EEC of 18 March 1991 on batteries and accumulators containing certain dangerous substances⁽²⁾.
- (c) Article 5(1) of Council Directive 91/676/EEC of 12 December 1991 concerning the protection of waters against pollution caused by nitrates from agricultural sources⁽³⁾.
- (d) Article 6(1) of Council Directive 91/689/EEC of 12 December 1991 on hazardous waste⁽⁴⁾.
- (e) Article 14 of Directive 94/62/EC of the European Parliament and of the Council of 20 December 1994 on packaging and packaging waste⁽⁵⁾.
- (f) Article 8(3) of Council Directive 96/62/EC of 27 September 1996 on ambient air quality assessment and management⁽⁶⁾.
- (g) [F1 Article 6(1) of Directive (EU) 2016/2284 of the European Parliament and of the Council of 14 December 2016 on the reduction of national emissions of certain atmospheric pollutants, amending Directive 2003/35/EC and repealing Directive 2001/81/EC⁽⁷⁾.]

Textual Amendments

- F1** Inserted by [Directive \(EU\) 2016/2284 of the European Parliament and of the Council of 14 December 2016 on the reduction of national emissions of certain atmospheric pollutants, amending Directive 2003/35/EC and repealing Directive 2001/81/EC \(Text with EEA relevance\)](#).

ANNEX II

In Directive 96/61/EC, the following Annex shall be added:

ANNEX V

Public participation in decision-making

1. The public shall be informed (by public notices or other appropriate means such as electronic media where available) of the following matters early in the procedure for the taking of a decision or, at the latest, as soon as the information can reasonably be provided:
 - (a) the application for a permit or, as the case may be, the proposal for the updating of a permit or of permit conditions in accordance with Article 15(1), including the description of the elements listed in Article 6(1);
 - (b) where applicable, the fact that a decision is subject to a national or transboundary environmental impact assessment or to consultations between Member States in accordance with Article 17;

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- (c) details of the competent authorities responsible for taking the decision, those from which relevant information can be obtained, those to which comments or questions can be submitted, and details of the time schedule for transmitting comments or questions;
 - (d) the nature of possible decisions or, where there is one, the draft decision;
 - (e) where applicable, the details relating to a proposal for the updating of a permit or of permit conditions;
 - (f) an indication of the times and places where, or means by which, the relevant information will be made available;
 - (g) details of the arrangements for public participation and consultation made pursuant to point 5.
2. Member States shall ensure that, within appropriate time-frames, the following is made available to the public concerned:
 - (a) in accordance with national legislation, the main reports and advice issued to the competent authority or authorities at the time when the public concerned were informed in accordance with point 1;
 - (b) in accordance with the provisions of Directive 2003/4/EC of the European Parliament and of the Council of 28 January 2003 on public access to environmental information⁽⁸⁾, information other than that referred to in point 1 which is relevant for the decision in accordance with Article 8 and which only becomes available after the time the public concerned was informed in accordance with point 1.
 3. The public concerned shall be entitled to express comments and opinions to the competent authority before a decision is taken.
 4. The results of the consultations held pursuant to this Annex must be taken into due account in the taking of a decision.
 5. The detailed arrangements for informing the public (for example by bill posting within a certain radius or publication in local newspapers) and consulting the public concerned (for example by written submissions or by way of a public inquiry) shall be determined by the Member States. Reasonable time-frames for the different phases shall be provided, allowing sufficient time for informing the public and for the public concerned to prepare and participate effectively in environmental decision-making subject to the provisions of this Annex.

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- (1) [OJ L 194, 25.7.1975, p. 39](#). Directive as last amended by Commission Decision 96/350/EC ([OJ L 135, 6.6.1996, p. 32](#)).
- (2) [OJ L 78, 26.3.1991, p. 38](#). Directive as last amended by Commission Directive 98/101/EC ([OJ L 1, 5.1.1999, p. 1](#)).
- (3) [OJ L 375, 31.12.1991, p. 1](#).
- (4) [OJ L 377, 31.12.1991, p. 20](#). Directive as last amended by Directive 94/31/EC ([OJ L 168, 2.7.1994, p. 28](#)).
- (5) [OJ L 365, 31.12.1994, p. 10](#).
- (6) [OJ L 296, 21.11.1996, p. 55](#).
- (7) [^{F1}[OJ L 344, 17.12.2016, p. 1](#).]
- (8) [OJ L 41, 14.2.2003, p. 26](#).

Textual Amendments

- F1** Inserted by [Directive \(EU\) 2016/2284 of the European Parliament and of the Council of 14 December 2016 on the reduction of national emissions of certain atmospheric pollutants, amending Directive 2003/35/EC and repealing Directive 2001/81/EC \(Text with EEA relevance\)](#).