
DRAFT SCOTTISH STATUTORY INSTRUMENTS

2019 No.

**The Forestry (EU Exit) (Scotland)
(Amendment etc.) Regulations 2019**

PART 5

**Amendments to the Forestry (Environmental
Impact Assessment) (Scotland) Regulations 2017**

69. The Forestry (Environmental Impact Assessment) (Scotland) Regulations 2017⁽¹⁾ are amended as follows.

70. In regulation 2(1), in the definition of “Union legislation”, for “from time to time created or arising by or under the EU treaties” substitute “under retained EU law”.

71. In regulation 5(1)(b), for “Parts 4, 5, 6 and, where relevant, 7” substitute “Parts 4, 5 and 6”.

72. In regulation 7(3), for “, 19(1)(b) or, where relevant, regulation 27” substitute “or 19(1)(b)”.

73. In regulation 18(2)(b), omit “ and, where relevant, state that it is likely to have significant effects on the environment in another EEA State”.

74. In regulation 24(2)(e)(ii), omit—

(a) “and, where relevant, Part 7”, and

(b) “, in particular comments received from an EEA State pursuant to consultation under regulation 27,”.

75. In regulation 26, omit paragraph (3).

76. Omit Part 7.

77. In regulation 32—

(a) in paragraph (3), omit “(except in a case referred to in paragraph (4))”, and

(b) omit paragraph (4).

78. In schedule 3—

(a) in paragraph 6, for the words from “at Union or Member State level” to the end substitute “in retained EU law or under other national enactments (including under an Act of the Scottish Parliament and an instrument made under such an Act)”, and

(b) in paragraph 9, for the second sentence substitute “Relevant information available and obtained through risk assessments pursuant to retained EU law or Scottish environmental assessments may be used for this purpose provided that the requirements of any law that implemented the Directive are met.”.