
SCOTTISH STATUTORY INSTRUMENTS

2004 No. 258

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

PART 2

ENVIRONMENTAL ASSESSMENT FOR PLANS AND PROGRAMMES

Determinations of whether environmental assessment required

13.—(1) The responsible authority shall determine whether or not a plan or programme of a description set out regulation 9(c) or referred to in 10 is likely to have significant environmental effects.

(2) In making a determination under paragraph (1) the responsible authority shall—

- (a) apply the criteria specified in Schedule 1 to these Regulations to the plan or programme under consideration; and
- (b) follow the procedure set out in regulation 14.

(3) Where the responsible authority determines that the plan or programme is unlikely to have significant environmental effects it shall prepare a statement of its reasons for that determination.