
SCOTTISH STATUTORY INSTRUMENTS

2006 No. 582

**The Environmental Impact Assessment
(Agriculture) (Scotland) Regulations 2006**

Provision of information

10.—(1) Any consultation body which is consulted by the Scottish Ministers in accordance with regulation 9(2) or which receives a request for information from a person who is intending to apply for consent shall determine whether they have in their possession any information which they consider relevant to the preparation of the environmental statement and, if they have, they shall, subject to paragraphs (2) to (5), make that information available to the applicant within 28 days from the date of the request under paragraph (5) or receipt of the request under this paragraph, as the case may be.

(2) A reasonable charge may be made by any body providing information under paragraph (1) which reflects the cost of making the relevant information available.

(3) In relation to a body to which the Environmental Information (Scotland) Regulations 2004⁽¹⁾ apply, paragraph (1) shall not require disclosure of information which the body—

- (a) may refuse to disclose under regulation 10(1) of those Regulations; or
- (b) is prevented from disclosing by regulation 11(1) of those Regulations.

(4) In relation to a body to which the Environmental Information Regulations 2004⁽²⁾ apply, paragraph (1) shall not require disclosure of information which the body—

- (a) may refuse to disclose under regulation 12(1) of those Regulations; or
- (b) is prevented from disclosing by regulation 13(1) of those Regulations.

(5) In the case of information held by a consultation body which is consulted by the Scottish Ministers in accordance with regulation 9(2), that body shall advise the applicant that it holds relevant information and the cost of making it available and shall only make it available if so requested by the applicant thereafter.

(1) S.S.I. 2004/520.

(2) S.I.2004/3391.