
SCOTTISH STATUTORY INSTRUMENTS

2017 No. 102

TOWN AND COUNTRY PLANNING

**The Town and Country Planning (Environmental
Impact Assessment) (Scotland) Regulations 2017**

<i>Made</i>	- - - -	<i>29th March 2017</i>
<i>Laid before the Scottish Parliament</i>	- - - -	<i>31st March 2017</i>
<i>Coming into force</i>	- -	<i>16th May 2017</i>

The Scottish Ministers make the following Regulations in exercise of the powers conferred by section 2(2) of the European Communities Act 1972⁽¹⁾, section 40 of the Town and Country Planning (Scotland) Act 1997⁽²⁾ and all other powers enabling them to do so.

They have taken into account the selection criteria in Annex III to [Directive 2011/92/EU](#) of the European Parliament and of the Council on the assessment of the effects of certain public and private projects on the environment⁽³⁾.

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- (1) [1972 c.68](#). Section 2(2) was amended by the Scotland Act [1998 \(c.46\)](#), Schedule 8, paragraph 15(3), the Legislative and Regulatory Reform Act [2006 \(c.51\)](#), section 27, and the European Union (Amendment) Act [2008 \(c.7\)](#), schedule 1, Part 1. The functions conferred upon the Minister of the Crown under section 2(2) of the European Communities Act 1972, insofar as exercisable within devolved competence, were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act [1998 \(c.46\)](#).
- (2) [1997 c.8](#). Section 40 was amended by the Water Environment and Water Services (Scotland) Act [2003 \(asp 3\)](#), section 24(3). The functions of the Secretary of State were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998.
- (3) OJ L 26, 28.1.2012, p.1 as amended by [Directive 2014/52/EU](#).