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SCOTTISH STATUTORY INSTRUMENTS

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**2017 No. 114**

**The Agriculture, Land Drainage and  
Irrigation Projects (Environmental Impact  
Assessment) (Scotland) Regulations 2017**

**PART 4**

**MISCELLANEOUS**

**Revocation, saving and transitional provision**

**49.**—(1) Subject to paragraphs (2) and (3), the 2006 Regulations are revoked.

(2) The 2006 Regulations continue to have effect as they did immediately before 16th May 2017 in respect of an application for consent made under regulation 11 of the 2006 Regulations where the applicant has before that date—

- (a) submitted an environmental statement in connection with that application; or
- (b) requested the Scottish Ministers under regulation 9 of the 2006 Regulations to adopt a scoping opinion in respect of the project to which the application relates.

(3) The 2006 Regulations continue to have effect as they did immediately before 16th May 2017 in respect of an application for a screening decision under regulation 7 of the 2006 Regulations made to the Scottish Ministers before that date.

(4) These Regulations (other than this regulation) do not apply in respect of—

- (a) an application for consent to which the 2006 Regulations continue to have effect by virtue of paragraph (2); or
- (b) an application for a screening decision to which the 2006 Regulations continue to have effect by virtue of paragraph (3).

(5) References in any enactment to an environmental statement prepared, or having effect as if prepared, in accordance with the 2006 Regulations are treated as including a reference to an EIA report prepared in accordance with these Regulations.

(6) In this regulation—

“the 2006 Regulations” means the Environmental Impact Assessment (Agriculture) (Scotland) Regulations 2006<sup>(1)</sup>; and

“environmental statement” has the same meaning as in the 2006 Regulations.