

SCOTTISH STATUTORY INSTRUMENTS

2019 No. 130

**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 ^{M1} are amended as follows.

Commencement Information

I1 Reg. 69 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1\(1\)\(b\)](#)

Marginal Citations

M1 [S.S.I. 2017/113](#).

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 ”.

Commencement Information

I2 Reg. 70 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1\(1\)\(b\)](#)

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

Commencement Information

I3 Reg. 71 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1\(1\)\(b\)](#)

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

Commencement Information

- I4** Reg. 72 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1\(1\)\(b\)](#)

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”.

Commencement Information

- I5** Reg. 73 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1\(1\)\(b\)](#)

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,”.

Commencement Information

- I6** Reg. 74 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1\(1\)\(b\)](#)

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

Commencement Information

- I7** Reg. 75 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1\(1\)\(b\)](#)

76. Omit Part 7.

Commencement Information

- I8** Reg. 76 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1\(1\)\(b\)](#)

77. In regulation 32—

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

Commencement Information

I9 Reg. 77 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see [reg. 1\(1\)\(b\)](#)

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. ”.

Commencement Information

I10 Reg. 78 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see [reg. 1\(1\)\(b\)](#)

Changes to legislation:

There are currently no known outstanding effects for the The Forestry (EU Exit) (Scotland) (Amendment etc.) Regulations 2019, PART 5.