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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations amend the Pipe-line Works (Environmental Impact Assessment) Regulations 2000 (“the 2000 Regulations”). The 2000 Regulations implement, in relation to pipe-line installations, Council Directive [85/337/EEC](#) of 27 June 1985 on the assessment of the effects of certain public and private projects on the environment as amended by Council Directive [97/11/EC](#) of 3 March 1997. These Regulations implement Directive [2003/35/EC](#) of the European Parliament and of the Council of 26 May 2003. Directive [2003/35/EC](#) provides for public participation in respect of the drawing up of certain plans and programmes relating to the environment and amends, with regard to public participation and access to justice, Council Directives [85/337/EEC](#) and [96/61/EC](#).

*Regulation 4* of these Regulations amends regulation 2 of the 2000 Regulations by inserting definitions for “additional information”, “further information” and “supplementary information”. Regulation 4 also amends the definitions of “the consultation bodies”, “EEA State” and “relevant pipe-line works”.

*Regulation 5* amends regulation 3 of the 2000 Regulations. Before making a decision on whether to grant a pipe-line construction authorisation, the Secretary of State must now be satisfied that the publicity requirements relating to the environmental statement, further information and additional information have been substantially complied with and must also take into consideration such information. Regulation 3 is also amended as regards the information to be contained in the statement accompanying the Secretary of State’s decision, and the publicity requirements relating to that decision and the accompanying statement.

*Regulation 6* amends regulation 4 of the 2000 Regulations by amending the circumstances in which the Secretary of State can direct that an environmental statement need not be prepared in respect of an application for a pipe-line construction authorisation.

*Regulation 7* amends regulation 7 of the 2000 Regulations to reflect the new definitions of “the consultation bodies” and “supplementary information” (see regulation 4 of these Regulations). It also makes amendments as to the information to be contained in the notice to be made public where an EIA application is submitted to the Secretary of State along with an environmental statement.

*Regulation 8* amends regulation 8 of the 2000 Regulations; it provides a new definition of “further information” and amends the manner in which such “further information” is to be drawn to the attention of the public.

*Regulation 9* inserts a new regulation 8A into the 2000 Regulations. This sets out the procedure which the Secretary of State must follow when he receives “additional information” and the steps that the applicant must take to bring such “additional information” to the attention of the public.

*Regulation 11* amends regulation 14 of the 2000 Regulations so that a person who intentionally or recklessly submits supplementary information or additional information which is false or misleading in a material particular is guilty of an offence.

An impact assessment covering changes to the pipe-line works environmental impact assessment (“EIA”) regime as well as the EIA regimes for gas transporter pipe-line works and electricity works, is available from the Energy Development Unit, Department for Business, Enterprise and Regulatory Reform, 1 Victoria Street, London SW1H 0ET.

A Transposition Note is available and can also be obtained from the Energy Development Unit, Department for Business, Enterprise and Regulatory Reform, 1 Victoria Street, London SW1H 0ET.

**Status:** *This is the original version (as it was originally made).*

The impact assessment and Transposition Note are also annexed to the Explanatory Memorandum, which is available alongside the instrument on the Office of Public Sector Information website: [www.opsi.gov.uk](http://www.opsi.gov.uk).