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STATUTORY INSTRUMENTS

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**2017 No. 1070**

**HARBOURS, DOCKS, PIERS AND FERRIES  
ENVIRONMENTAL PROTECTION  
HARBOURS, DOCKS, PIERS AND  
FERRIES, NORTHERN IRELAND  
ENVIRONMENTAL PROTECTION,  
NORTHERN IRELAND**

The Environmental Impact Assessment  
(Miscellaneous Amendments Relating to Harbours,  
Highways and Transport) Regulations 2017

*Made - - - - 6th November 2017*

*Laid before Parliament 13th November 2017*

*Coming into force 5th December 2017*

**THE ENVIRONMENTAL IMPACT ASSESSMENT  
(MISCELLANEOUS AMENDMENTS RELATING TO HARBOURS,  
HIGHWAYS AND TRANSPORT) REGULATIONS 2017**

1. Citation, commencement and extent
  2. Interpretation
  3. Amendments
  4. The 1980 Act is amended in accordance with Schedule 2....
  5. The 1992 Act is amended in accordance with Schedule 3....
  6. The 2006 Rules are amended in accordance with Schedule 4....
  7. Projects and works in Scotland or Northern Ireland: national defence exemption
  8. Transitional provisions
- Signature

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

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SCHEDULE 1 — Amendments to the 1964 Act

1. The 1964 Act is amended as follows.
2. In section 17 (procedure for making harbour revision and empowerment...
3. In section 17D (harbour closure orders: procedure), in subsection (2)—...
4. In section 42A (power to make orders delegating functions), after...
5. (1) Section 44 (limitation of right to challenge harbour revision...
6. (1) Section 44, as it applies in relation to Scotland,...
7. (1) Section 48 (service of documents) is amended as follows....
8. (1) Part 1 of Schedule 3 (harbour revision orders made...

SCHEDULE 2 — Amendments to the Highways Act 1980

1. Part 5A of the 1980 Act (environmental impact assessments) is...
2. Before section 105A insert— Interpretation (1) In this Part — “Annex” means an Annex to...
3. For section 105A substitute— Screening of projects for constructing or...
4. For section 105B substitute— Publication of screening decision and environmental...
5. (1) Section 105C is amended as follows.
6. After section 105C insert— Conclusion about environmental impact of a...
7. In section 105D, in subsection (1), for “Secretary of State...

SCHEDULE 3 — Amendments to the Transport and Works Act 1992

1. Part 1 of the 1992 Act is amended as follows....
2. In section 6 (applications for orders under section 1 or...
3. In section 13— (a) in the heading, after “or 3”...
4. After section 13 insert— Environmental impact assessment: definitions (1) This section defines certain terms used in this Part....
5. (1) Section 14 (publicity for making or refusal of orders)...

SCHEDULE 4 — Amendments to the 2006 Rules

1. The Transport and Works (Applications and Objections Procedure) (England and...
2. In rule 4(1) (interpretation and notices)— (a) for the definition...
3. In rule 7(1), 7(2), 8(8), 10(2)(g), 10(9), 13(8)(f), 16(6)(b), 17(1),...
4. In rule 7 (the requirement for environmental statement and screening...
5. After rule 7, insert— Environmental impact assessment (1) The environmental impact assessment is a process consisting of—...
6. In rule 8(4) (scoping opinion)— (a) in the opening words,...
7. After rule 8 insert— Coordination where application requires appropriate assessment...
8. For rule 11 (Environmental statements: provision of information), substitute — Environmental...
9. In rule 13(4) (deposit of copy application etc. with others)—...
10. In rule 14 (publicity for application), after paragraph (4) insert—...
11. For rule 16(8) (developments likely to have significant effects on...
12. After rule 28 (applications relating solely to Wales) insert— Review...
13. For Schedule 1 (information to be included in environmental statements)...
14. In Schedule 7 (proposals for orders under section 7)—

SCHEDULE 5 — Projects and works in Scotland and Northern Ireland: national defence exemptions

PART 1 — Projects and works in Northern Ireland

1. Roads (Northern Ireland) Order 1993: national defence exemption
2. Harbour Works (Environmental Impact Assessment) Regulations (Northern Ireland) 2003: national defence exemption

PART 2 — Works in Scotland

3. Transport and Works (Scotland) Act 2007 and the Transport and Works (Scotland) Act 2007 (Applications and Objections Procedure) Rules 2007: national defence exemption

SCHEDULE 6 — Transitional provisions and savings

PART 1 — The 1964 Act

1. Orders made under section 42A of the 1964 Act
2. Applications for harbour revision orders, harbour empowerment orders or closure orders
3. Proposals for closure orders made otherwise than on the application of a harbour authority

PART 2 — The 1980 Act

4. Existing projects for constructing or improving highways which are not screened before the commencement date
5. Exemptions for existing projects
6. Projects for constructing or improving highways which are screened before the commencement date

PART 3 — The 1992 Act and the 2006 Rules

7. Requests for a screening decision made before the commencement date
8. Requests for a scoping opinion made before the commencement date
9. Applications for orders under sections 1 and 3 of the 1992 Act
10. Existing proposals: screening decision
11. Existing proposals: scoping opinion
12. Existing proposals: other procedural requirements

Explanatory Note