These notes relate to the Environmental Assessment (Scotland) Act 2005 (asp15) (asp 15)

## **EXPLANATORY NOTES**

## ENVIRONMENTAL ASSESSMENT (SCOTLAND) ACT 2005 (ASP15)

**INTRODUCTION** 

BACKGROUND

THE ACT

#### **COMMENTARY ON SECTIONS**

The Main Provisions of the Act

#### THE ACT - SECTION BY SECTION

# PART 1 – ENVIRONMENTAL ASSESSMENT FOR PLANS AND PROGRAMMES

- Section 1 Requirement for environmental assessment
- Section 2 Responsible Authorities
- Section 3 Consultation Authorities
- Section 4 Plans and programmes
- Section 5 Qualifying plans and programmes
- Section 6 Types of excluded Plans and programmes
- Section 7 Exemptions: pre-screening
- Section 8 Exemptions: screening
- Section 9 Screening: procedure
- Section 10 Screening: publicity for determinations
- Section 11 Directions as regards plans and programmes

Section 12 - Restriction on adoption or submission

Section 13 - Relationship with Community Law requirements

### PART 2 – ENVIRONMENTAL REPORTS AND CONSULTATION

Section 14 – Preparation of environmental report

Section 15 – Scoping

Section 16 – Consultation procedures

Section 17 – Account to be taken of environmental report etc.

#### PART 3 – POST-ADOPTION PROCEDURES

Section 18 – Information as to adoption of a qualifying plan or programme

Section 19 – Monitoring the implementation of qualifying plans and programmes

### PART 4 – MISCELLANEOUS

Section 20 – Annual Reports

#### **PART 5 – GENERAL PROVISIONS**

Section 21 – Crown Application

Section 22 & 23 – Orders and Ancillary provision

Section 24 – Environmental Assessment of Plans and Programmes (Scotland) Regulations 2004

Sections 25 and 26 - Interpretation, Commencement and short title

#### **SCHEDULES**

Schedule 1 - Projects

Schedule 2 - Criteria for determining likely significance of effects on the environment

Schedule 3 – Information for Environmental Reports

# PARLIAMENTARY HISTORY OF THE ENVIRONMENTAL ASSESSMENT (SCOTLAND) ACT 2005