



# Environmental Assessment (Scotland) Act 2005

2005 asp 15

## PART 1

### ENVIRONMENTAL ASSESSMENT FOR PLANS AND PROGRAMMES

#### 12 Restriction on adoption or submission

- (1) A qualifying plan or programme shall not be—
  - (a) adopted; or
  - (b) submitted to a legislative procedure for the purposes of its adoption, before the requirements of such provisions of Part 2 of this Act as apply in relation to that plan or programme have been met.
- (2) A plan or programme in respect of which a determination is required under section 8(1) shall not be adopted, or submitted to a legislative procedure for the purpose of its adoption, unless either—
  - (a) the requirements of subsection (1) have been met; or
  - (b) the determination under section 8(1) is that the plan or programme is unlikely to have significant environmental effects.

#### Commencement Information

**II** S. 12 in force at 20.2.2006 by [S.S.I. 2006/19](#), [art. 2](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Environmental Assessment (Scotland) Act 2005, Section 12.