



# Environmental Assessment (Scotland) Act 2005

2005 asp 15

## PART 1

### ENVIRONMENTAL ASSESSMENT FOR PLANS AND PROGRAMMES

#### 2 Responsible authorities

- (1) In this Act, a responsible authority is any person, body or office-holder exercising functions of a public character.
- (2) The responsible authority in relation to a particular plan or programme is the authority by whom, or on whose behalf, the plan or programme is prepared.
- (3) Where more than one authority is responsible for a plan or programme (or part of it) the responsible authority shall be—
  - (a) the authority determined by agreement between those authorities; or
  - (b) if there is no such agreement, the authority determined by the Scottish Ministers.
- (4) But for the purposes of section 5(4)(a) the responsible authorities are—
  - (a) the Scottish Ministers;
  - (b) any holder of an office in the Scottish Administration which is not a ministerial office;
  - (c) the Scottish Parliament;
  - (d) the Scottish Parliamentary Corporate Body;
  - (e) a Scottish public authority with mixed functions or no reserved functions;
  - (f) any other person, body or office-holder of a description (and to such extent) as may be specified by the Scottish Ministers by order.

#### Commencement Information

**II** S. 2 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 2.