



Environmental Assessment (Scotland) Act 2005 2005 asp 15

PART 1

ENVIRONMENTAL ASSESSMENT FOR PLANS AND PROGRAMMES

7 Exemptions: pre-screening

- (1) A plan or programme of a description set out in section 5(4) is exempt if the responsible authority is of the opinion that the plan or programme will have—
 - (a) no effect; or
 - (b) minimal effect,in relation to the environment.
- (2) In considering whether or not it is of the opinion described in subsection (1), the responsible authority shall apply the criteria specified in schedule 2.
- (3) If a responsible authority is of the opinion described in subsection (1), it shall notify the consultation authorities of that fact as soon as practicable.
- (4) A notification under subsection (3) shall also include the following information—
 - (a) the title of the plan or programme;
 - (b) the date of the opinion; and
 - (c) a brief description of the plan or programme, including the area or location to which the plan or programme relates.
- (5) The Scottish Ministers shall arrange for a register to be kept of any notifications under subsection (3).
- (6) The register kept under subsection (5)—
 - (a) shall be available for public inspection—
 - (i) at any reasonable time; and
 - (ii) at such place as the Scottish Ministers may direct;
 - (b) may include such other information in relation to a plan or programme as the Scottish Ministers consider appropriate.

Status: This is the original version (as it was originally enacted).

- (7) The information contained in the register may also be made available, for the purpose of facilitating public access to that information, by such means (including by means of display on a website) as the Scottish Ministers think fit.
- (8) The Scottish Ministers may by order modify schedule 2.