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SCOTTISH STATUTORY INSTRUMENTS

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**2002 No. 6**

**The Environmental Impact Assessment (Uncultivated Land and Semi-Natural Areas) (Scotland) Regulations 2002**

**Application**

3.—(1) These Regulations apply to any project in Scotland (or, in relation to a transborder project, a project as determined in accordance with regulation 12) which is not exempt under paragraphs (2) or (3) below.

(2) A project is exempt under this paragraph if it—

- (a) constitutes development to which the Environmental Impact Assessment (Scotland) Regulations 1999(1) apply; or
- (b) is a project described in regulation 3(2) of the Environmental Impact Assessment (Forestry) (Scotland) Regulations 1999(2).

(3) A project is exempt under this paragraph to the extent that the Scottish Ministers, in accordance with Article 2(3) of the EIA Directive, direct that it shall be exempt from these Regulations.

(4) In the case of a project which the Scottish Ministers decide is likely to have a significant effect on a European site (either alone or in combination with other projects), the power to direct that the project is exempt from these Regulations under paragraph (3) above shall be exercisable only to the extent that compliance with the Habitats Directive is secured in relation to the project.