
STATUTORY INSTRUMENTS

2007 No. 933

The Offshore Petroleum Production and Pipe-lines (Assessment of Environmental Effects) (Amendment) Regulations 2007

Amendment of the 1999 Regulations

11. Before regulation 13, insert—

“Projects in other EEA States having a significant effect on the environment in the transboundary area

12A.—(1) Where, pursuant to Article 7(1) or 7(2) of the Directive, the Secretary of State receives information from another EEA State which that EEA State has gathered from the developer of a relevant project in that EEA State which is likely to have significant effects on the environment of the transboundary area, the Secretary of State shall—

- (a) enter into consultations with that EEA State regarding, inter alia, the potential significant effects of the proposed project on the environment of the transboundary area and the measures envisaged to reduce or eliminate such effects; and
 - (b) determine in agreement with that EEA State a reasonable period, before development consent for the project is granted, during which members of the public in the United Kingdom may submit to the competent authority in that EEA State representations pursuant to Article 7(3)(b) of the Directive.
- (2) The Secretary of State shall also—
- (a) arrange for the information referred to in paragraph (1) above to be made available, within a reasonable time, both to the environmental authorities in the United Kingdom which he considers are likely to be concerned by the project by reason of their particular environmental responsibilities, and to the public concerned;
 - (b) ensure that those authorities and the public concerned in the United Kingdom are given an opportunity, before development consent for the project is granted, to forward to the competent authority in the EEA State referred to in paragraph (1) above, within a reasonable time, their opinion on the information supplied; and
 - (c) so far as he has received such information, notify those authorities and the public concerned of the content of any decision of the competent authority of that EEA State, and in particular—
 - (i) any conditions attached to it;
 - (ii) the main reasons and considerations on which the decision was based including, if relevant, information about the participation of the public; and
 - (iii) a description of the main measures to avoid, reduce and, if possible, offset any major adverse effects that have been identified.”