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SCOTTISH STATUTORY INSTRUMENTS

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**2019 No. 427**

**ELECTRICITY**

**The Electricity Works (Environmental Impact Assessment) (Scotland) Amendment Regulations 2019**

*Made* - - - - *18th December 2019*  
*Laid before the Scottish*  
*Parliament* - - - - *19th December 2019*  
*Coming into force* - - *22nd February 2020*

The Scottish Ministers make the following Regulations in exercise of the powers conferred by section 2(2) of the European Communities Act 1972(1), section 36C(2) of the Electricity Act 1989(2) and all other powers enabling them to do so.

**Citation and commencement**

1. These Regulations may be cited as the Electricity Works (Environmental Impact Assessment) (Scotland) Amendment Regulations 2019 and come into force on 22 February 2020.

**Amendment of the Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017**

2.—(1) The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017(3) are amended in accordance with paragraphs (2) to (4).

(2) In regulation 2(4)(b) (interpretation)—

(a) after “ground” insert—

“granted consent by the Electricity Act consent in respect of which such application is made”,

(b) after “any” insert “multi-stage”,

(c) after “such” insert “Electricity Act”.

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(1) 1972 c.68. Section 2(2) was amended by the Scotland Act 1998 (c.46) (“the 1998 Act”); schedule 8, paragraph 15(3), which was amended by section 27(4) of the Legislative and Regulatory Reform Act 2006 (c.51), (“the 2006 Act”). Section 2(2) was also amended by section 27(1)(a) of the 2006 Act and by the European Union (Amendment) Act 2008 (c.7), schedule 1, Part 1. Functions relating to the assessment of the effects of certain electricity works projects on the environment are exercisable concurrently by the Scottish Ministers and a Minister of the Crown by virtue of S.I. 1999/1750, article 3 and schedule 2.

(2) 1989 c.29. Section 36C was inserted by section 20(2) of the Growth and Infrastructure Act 2013 (c.27).

(3) S.S.I. 2017/101 to which there are amendments which are not relevant to these Regulations.

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*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

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- (3) In regulation 4(5) (environmental impact assessment) after “grant” insert “ Electricity Act”.
- (4) In regulation 21(2)(f) (decision notice) after “grant” insert “ Electricity Act”.

St Andrew’s House,  
Edinburgh  
18th December 2019

*MICHAEL MATHESON*  
A member of the Scottish Government

## **EXPLANATORY NOTE**

*(This note is not part of the Regulations)*

These Regulations make minor changes to the Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017 (“the 2017 Regulations”). The amendments to regulation 2(4)(b) clarify the meaning of “development” in relation to applications for multi-stage consent. Amendments to regulations 4(5) and 21(2)(f) clarify that references to “consent” are to “Electricity Act consent”, which is defined in regulation 2 of the 2017 Regulations.