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ENVIRONMENTAL IMPACT ASSESSMENT  
ORDINANCE 2010

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*This is a consolidated version of this legislation i.e. it incorporates all amendments made since the legislation was enacted as set out in the table below. It has been produced by the SBAA as an aid to transparency and easier access to SBA law. However, it is not the official version of SBA legislation and, although every effort has been made to check the document, its accuracy cannot be guaranteed. The official version of legislation is published in the SBA Gazette.*

<b>Legislation incorporated in this Consolidation</b>	<b>Ordinance</b>	<b>Date in Force</b>
Environmental Impact Assessment Ordinance 2010	26/2010	01/09/2010
Environmental Impact Assessment (Amendment) Ordinance 2014	19/2014	13/06/2014
Environmental Impact Assessment (Amendment) Ordinance 2019	13/2019	20/12/2019
Building Standards (Adoption) Ordinance 2022	11/2022	16/05/2022

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ENVIRONMENTAL IMPACT ASSESSMENT  
ORDINANCE 2014

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An Ordinance to require assessments to be carried out in relation to the environmental impact of certain types of projects.

**BE** it enacted by the Administrator of the Sovereign Base Areas of Akrotiri and Dhekelia as follows:-

**PART 1**  
**Preliminary**

**Short Title**

1. This Ordinance may be cited as the Environmental Impact Assessment Ordinance 2010.

**Interpretation**

2. “building permit” means a permit issued under ~~section 3 of the Streets and Buildings Regulation (Consolidation) Ordinance~~<sup>(a)</sup> *the Streets and Buildings Law of the Republic (Cap.96), as applied in the Areas by the Building Standards (Adoption) Ordinance 2022;* **(b)**

*“carbon dioxide stream capture” means the separation of carbon dioxide from other gas emissions and its capture in any manner that is required for the transport of carbon dioxide to carbon dioxide storage sites;* **(c)**

*“carbon dioxide storage site” means a specific area by volume used for the storage of carbon dioxide in geological formations and associated surface and injection facilities;*

*“carbon dioxide stream” means a flow of substances that results from the carbon dioxide capture processes;*

*“geological formation” consists of a number of rock strata that have comparable lithology, facies or other similar properties;* **(d)**

*“the corresponding Republican law” means the Environmental Impact Assessment of Certain Projects Law 2005 (Law 140(I)/2005)*<sup>(e)</sup> and includes any law replacing or amending that law, and any subsidiary legislation made under that law;

*“the Crown” means Her Majesty in right of Her Government in the United Kingdom and in right of Her Administration of the Areas;*

*“the environment” means all or any of the following elements: landscape, water, air and soil, and any organisms living in those elements;*

*“Environment Authority” means the Head of the Environment Department of the Administration;*

*“environmental impact” includes all impact whether positive or negative, direct or indirect, permanent or temporary, short term, medium term or long term, cumulative or secondary, biophysical or social, that affects:*

- (a) any natural person;

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(a) Ordinance 7/1984

(b) Amended by Ordinance 11/2022 – came into force on 16 May 2022

(c) All carbon dioxide definitions inserted by Ordinance 19/2014 – came into force on 13 June 2014

(d) Definition inserted by Ordinance 19/2014 – came into force on 13 June 2014

(e) Laws of the Republic of Cyprus, Gazette No.4055 dated 02.12.2005

- (b) the flora and fauna;
  - (c) the natural, historic and anthropogenic landscape;
  - (d) underground or surface water, the atmosphere, the soil, the sea and the climate;
  - (e) any material goods;
  - (f) the architectural heritage;
  - (g) the cultural heritage; or
  - (h) the interrelationship between any of the factors referred to in paragraphs (a) to (g);
- “environmental impact assessment” means a document or series of documents produced in accordance with section 7;
- “installation” has the meaning assigned to that word in the Control of Water Pollution Ordinance(a);
- “preliminary environmental impact report” means a document or series of documents produced in accordance with section 9;
- “project” means:
- (a) the execution of any construction works or of any other installation or scheme; or
  - (b) any other intervention in the environment, including the extraction of mineral resources;
- “project sponsor” means the person or body responsible for running a project or proposed project;
- “public project” means a project carried out by or on behalf of the Crown or the Republic;
- ~~“Schedule 1” means the first Schedule to the corresponding Republican law;~~ (b)
- “Schedule 1 project” means a project belonging to a category listed at Schedule 1;
- ~~“Schedule 2” means the second Schedule to the corresponding Republican law;~~
- “Schedule 2 project” means a project belonging to a category listed at Schedule 2;
- ~~“Schedule 3” means the third Schedule to the corresponding Republican law;~~
- ~~“Schedule 4” means the fourth Schedule to the corresponding Republican law.~~
- “storage of carbon dioxide in geological formations” means the injection and storage of carbon dioxide streams in underground geological formations. (c)*

## PART 2

### Substantive

#### Scope

**3.—(1)** Subject to subsections (2) and (4), this Ordinance applies to any Schedule 1 project or Schedule 2 project whether or not that project:

- (a) is a public project, or
- (b) is of a type that requires a building permit or any other type of permit under any other Ordinance.

(2) The Administrator may, by Order published in the Gazette, exempt a project from this Ordinance if satisfied that:

- (a) the project is for the purposes of defence, and
- (b) the project would be adversely affected if it was not exempted.

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(a) Ordinance 1/2005  
 (b) Schedules repealed by Ordinance 19/2014 – came into force on 13 June 2014  
 (c) Definition inserted by Ordinance 19/2014 – came into force on 13 June 2014

(3) Where a project is exempted under subsection (2), the Environment Authority must examine the possible environmental impact of the project and may recommend the taking of appropriate environmental measures so as to reduce the impact, particularly if the project is likely to affect:

- (a) protected wild fauna and flora habitats;
- (b) coastal areas of particular environmental significance; or
- (c) protected natural areas, or areas of a historical, cultural, architectural or archaeological significance.

(4) Subject to subsection (5), this Ordinance does not apply to a project (or part of a project) where:

- (a) an Ordinance has been enacted specifically in relation to that project, or
- (b) the Administrator, being satisfied that a public project is of an exceptional nature and that it will not have a significant impact on the environment of the Republic or of another State, makes an Order published in the Gazette declaring that the project in whole or in part is exempt from the Ordinance and stating the reasons why.

(5) Where the Administrator grants an exemption under subsection (4)(b), the Administrator may:

- (a) ask the Environment Authority to prepare (in cooperation with the public authority that is to carry out the project) such other form of assessment of the impact of the proposed project as the Administrator may prescribe, taking into account the criteria set out in Schedule 4; and
- (b) publish the information gathered for the purposes of such assessment, to the extent that the publication of such information does not compromise United Kingdom defence and security interests.

(6) An Order made under subsections (2) or (4)(b) must be publicised in two newspapers having a circulation in the Areas and the Republic, and on the Administration's website.

### **Environmental approval required**

**4.—**(1) A person must not carry out a Schedule 1 or Schedule 2 project unless the Chief Officer has granted environmental approval ("approval").

(2) Where approval is granted under subsection (1) subject to one or more conditions, a person must not breach that condition or those conditions.

### **Applications for environmental approval**

**5.—**(1) An application for approval under section 4 must be made to the Chief Officer and must include:

- (a) an environmental impact assessment ("assessment"), in relation to Schedule 1 projects; or
- (b) a preliminary environmental impact report ("preliminary report"), in relation to Schedule 2 projects.

(2) The Administrator may make additional provision by public instrument, as to what procedures must be followed and what information must be included when applying for approval in accordance with subsection (1).

### **Seeking of Environment Authority's opinion**

**6.—**(1) Upon receipt of an application for approval under section 4, the Chief Officer must request the Environment Authority to prepare an opinion and make recommendations.

(2) As soon as practicable after making a request under subsection (1), the Chief Officer must provide the Environment Authority with a copy of the application and the assessment or the

preliminary report as the case may be together with any additional information which the Chief Officer considers may assist the Environment Authority in its task.

(3) The functions of the Environment Authority under this section are general delegated functions under the Delegation of Functions to the Republic Ordinance 2007(a).

### **Content of the environmental impact assessment**

7.—(1) The assessment to be submitted under section 5(a) must be in English and (except where the project is a public project and the sponsor is the Crown) in one of the official languages of the Republic.

(2) The assessment must include the following information in relation to the project:

- (a) the information referred to in Schedule 3, in such detail as to enable the evaluation of the impact of the project on the environment;
- (b) any other information that the Environment Authority requires to be included in the assessment under section 8(2); and
- (c) a non-technical summary of all the information referred to in paragraphs (a) and (b).

(3) The information included under subsection (2) must take account of current knowledge and methods of assessment.

(4) The assessment must identify, describe and assess the environmental impact of the project on:

- (a) any natural person;
- (b) the flora and fauna;
- (c) the natural, historic and anthropogenic landscape;
- (d) underground or surface water, the atmosphere, the soil, the sea and the climate;
- (e) any material goods;
- (f) the architectural heritage;
- (g) the cultural heritage;
- (h) the interrelationship between any of the factors referred to in paragraphs (a) to (g).

(5) The assessment may also assess, where it is relevant, the impact of the proposed project within the territory of the Republic.

### **Evaluation of the environmental impact assessment**

8.—(1) On receipt of the assessment, the Environment Authority must determine whether the information in the assessment is adequate.

(2) If the Environment Authority determines that the information in the assessment is not adequate, it may require the project sponsor to provide additional information within a specified period of time.

(3) If the information requested under subsection (2) is not provided within the specified period of time, the Environment Authority may refuse to examine the assessment.

(4) If the project is an installation, the Environment Authority may require the project sponsor to carry out a risk assessment for the purpose of assessing the risks of water pollution.

(5) If the Environment Authority determines that the information in the assessment together with any information provided subsequently is adequate, it must prepare an opinion, taking into account any representations made in accordance with section 14(2), and forward it to the Chief Officer.

(6) The opinion referred to in subsection (5) must not be forwarded to the Chief Officer until 30 days have expired since the publication of the notification referred to at section 14.

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(a) Ordinance 17/2007

- (7) The opinion sent under subsection (5) may include a recommendation that:
- (a) approval is refused, on the grounds that the project is likely to have significant adverse environmental impact despite any conditions that may be imposed; or
  - (b) approval is granted subject to specified conditions aimed at preventing, reducing or off-setting the adverse environmental impact; or
  - (c) approval is granted without conditions.
- (8) The opinion must be accompanied by:
- (a) copies of any additional information provided by the project sponsor, any directions given to the project sponsor under section 11 and any advice given to the project sponsor under section 12; and
  - (b) an account of the Environment Authority's reasoning process, including the way it took into account the representations made in accordance with section 14(2).
- (9) Upon consideration of all relevant documents, the Chief Officer must determine whether to grant approval, and whether such approval should be subject to specified conditions.
- (10) Any decision taken by the Chief Officer under subsection (9) must be notified to the project sponsor as soon as practicable and publicised in accordance with section 15.
- (11) The functions of the Environment Authority under this section are general delegated functions under the Delegation of Functions to the Republic Ordinance 2007.

#### **Form and content of preliminary environmental impact report**

- 9.**—(1) A preliminary report must include sufficient information to enable the likely extent and duration of the environmental impact of the project to be ascertained.
- (2) A preliminary report must be presented in a form prescribed for the equivalent purpose by the corresponding Republican law.

#### **Evaluation of the preliminary environmental impact report**

- 10.**—(1) When the Environment Authority receives a preliminary report under section 5, it must determine whether the information in the report is adequate.
- (2) If the Environment Authority determines that the information is not adequate, it may request additional information from the project sponsor.
- (3) When the Environment Authority considers it has all the information it requires, it must:
- (a) prepare an opinion on the effects that the project is likely to have on the environment, and
  - (b) forward that opinion to the Chief Officer together with recommendations.
- (4) The recommendations may include a recommendation that:
- (a) approval is granted without conditions;
  - (b) approval is granted subject to specified conditions; or
  - (c) the project sponsor is required to submit an assessment, to be evaluated by the Environment Authority in accordance with section 8;
- (5) The Chief Officer must make a decision on the recommendations, which he must notify to the project sponsor as soon as practicable.
- (6) The functions of the Environment Authority under this section are general delegated functions under the Delegation of Functions to the Republic Ordinance 2007.

#### **Directions**

- 11.**—(1) A person intending to carry out a project that appears on the face of it to be a Schedule 1 project or Schedule 2 project may request directions from the Environment Authority in relation to the need to prepare an assessment or preliminary report.

- (2) A request under subsection (1) must be accompanied by:
- (a) a plan showing the immovable property on which the project is to be carried out;
  - (b) a brief description of the nature, the landscape, the area and the size of the project and the purpose of the project;
  - (c) any other information that the project sponsor considers useful or necessary in relation to the possible environmental impact of the project.

(3) On receiving the request, the Environment Authority may request in writing additional information from the project sponsor, which must be provided in order for the request to be considered.

(4) The Environment Authority must examine the application in accordance with the criteria listed in Schedule 4 and, within 30 days of receipt of the application or the additional information where requested, issue directions to the project sponsor.

(5) The functions of the Environment Authority under this section are general delegated functions under the Delegation of Functions to the Republic Ordinance 2007.

### **Advice on assessment**

**12.**—(1) A person who intends to apply for approval under section 4 in relation to a Schedule 1 project may request in writing advice from the Environment Authority regarding the information that should be submitted with the application, or the assessment that the person intends to submit.

- (2) A request under subsection (1) must be accompanied by:
- (a) a plan showing the immovable property on which the project is to be carried out;
  - (b) a brief description of the nature, the landscape, the area and the size of the project and the purpose of the project;
  - (c) any other information that the project sponsor considers useful or necessary in relation to the possible environmental impact of the project.

(3) On receiving a request under subsection (1), the Environment Authority may request in writing additional information from the project sponsor.

(4) Where a request is made under subsection (3), the Environment Authority must not provide the advice until the information has been provided.

(5) Notwithstanding subsection (3), the Environment Authority may at any time request the submission of additional information as part of the assessment.

(6) The Environment Authority must, within 30 days of receipt of the application or the additional information where requested, provide the requested advice to the project sponsor.

(7) The functions of the Environment Authority under are general delegated functions under the Delegation of Functions to the Republic Ordinance 2007.

### **Disclosure of information**

**13.**—(1) Subject to subsections (2) and (3) where the project sponsor requests information from a public body including the Crown, and that information could reasonably be regarded as necessary or useful to a proposed assessment or preliminary report, the public body must supply that information if it holds that information.

(2) A public body does not have to supply information that it considers confidential, commercially sensitive or that could compromise national security.

(3) A public body may levy a reasonable and proportionate charge for supplying information referred to at subsection (1).



## Notification to submit representations

**14.**—(1) A project sponsor who submits an environmental impact assessment must as soon as practicable publish a notification of that assessment in two newspapers having a circulation in the Areas and the Republic, which must include the following:

- (a) a statement that an application for approval has been made in relation to a project;
- (b) a statement that the project is subject to an assessment, the date that the assessment was submitted and the name of the project sponsor;
- (c) the nature of the possible decisions to be taken in relation to the project;
- (d) a description of the nature and location of the proposed project;
- (e) a statement that the assessment is available for public inspection during normal working hours at:
  - (i) the offices of Environment Authority;
  - (ii) in the case of a project to be carried out by the Crown, at the Area Office;
  - (iii) in the case of a project to be carried out by or on behalf of the Government of the Republic, the offices of the appropriate Government Department; or
  - (iv) in the case of a project to be carried out on behalf of a public utility corporation, the office of the corporation;
- (f) a statement that any person may submit representations to the Environment Authority about the assessment or the possible environmental impact of the proposed project, and any representations should be submitted within 30 days of the notification.

(2) Where a representation is submitted within 30 days of the notification, the Environment Authority must take it into account insofar as it is relevant when evaluating the assessment and when preparing an opinion and recommendations.

(3) The functions of the Environment Authority under this section are general delegated functions under the Delegation of Functions to the Republic Ordinance 2007.

## Information about the Chief Officer's decision

**15.**—(1) Following the decision of the Chief Officer under section 8(9), the Chief Officer must provide the Environment Authority with the following information:

- (a) the decision to grant or refuse approval, and any conditions to which an approval is subject, and
- (b) an account of the reasoning process, including the assessments on which the decision was based and the way that representations made in accordance with section 14(2) were taken into account.

(2) ~~The Chief Officer must publicise, both on the Administration's website and in two newspapers having a circulation in the Areas and in the Republic:~~ *The Environment Authority must publicise on its website* (a) ~~and in two newspapers having a circulation in the Areas and in the Republic:~~ (b)

- (a) the information referred to in subsection (1)(a); and
- (b) a notification that the information referred to in subsection (1) can be found on the register of projects referred to in section 16.

(3) The functions of the Environment Authority under this section are general delegated functions under the Delegation of Functions to the Republic Ordinance 2007.

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(a) Text deleted and new text inserted by Ordinance 13/2019 – came into force on 20 December 2019

(b) Text deleted by Ordinance 13/2019 – came into force on 20 December 2019

### Keeping of register

**16.**—(1) The Chief Officer must establish and maintain a register of projects, which must contain:

- (a) all assessments and preliminary reports submitted under this Ordinance;
- (b) all opinions and recommendations submitted by the Environment Authority under this Ordinance;
- (c) the information referred to at section 15(1);
- (d) all representations submitted in relation to assessments or preliminary reports;
- (e) information as to projects exempted under section 3.

(2) The register referred to in subsection (1) is to be available for inspection by the public at the Area Office upon the giving of reasonable notice.

(3) The functions of the ~~Environment Authority~~ *Chief Officer (a)* under this section are general delegated functions under the Delegation of Functions to the Republic Ordinance 2007.

### Offences and penalties

**17.**—(1) A person who contravenes section 4 commits an offence and is liable to imprisonment for 6 months or to a fine of €25,629 (or to both).

(2) In addition to any penalty which may be imposed under subsection (1), the Court may:

- (a) order that the project (in whole or in part) in respect of which an offence has been committed, be demolished, removed, or in the case of a failure to comply with conditions attached to the approval, modified so as to ensure compliance with such conditions; and
- (b) specify the period of time within which the convicted person must comply with such Court Order.

(3) Where a person fails to comply with a Court Order issued pursuant to subsection (2) within the period of time specified, the Chief Officer may ask the Environment Authority or the Area Office to execute the Order, and where the Chief Officer does so, the Environment Authority or the Area Officer as the case may be, may recover all reasonable expenses from the person.

(4) A person who fails to comply with a Court Order issued pursuant to subsection (2) commits an offence and is liable to imprisonment for 6 months or to a fine of €51,258 (or to both).

(5) Where an offence under subsection (1) or (4) is committed by a body corporate and it is committed with the consent or the connivance of, or is attributable to any neglect on the part of, a director, manager, secretary or other similar officer of the body corporate, that officer as well as the body corporate commits that offence and is liable to be punished as provided for by subsection (1) or (4).

(6) The function of the Environment Authority under subsection (3) is a general delegated function under the Delegation of Functions to the Republic Ordinance 2007.

### Regulations and orders

**18.** The Administrator may make regulations and orders for the better application of this Ordinance, which may include provision of for offences and penalties.

### Legal proceedings

**19.**—(1) A Court of the Areas may take judicial notice of a law of the Republic and of any other Republican document of any description granted or otherwise made under a law of the Republic.

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(a) Text deleted and new text inserted by Ordinance 13/2019 – came into force on 20 December 2019

(2) For the purposes of this section, the production of a copy of any part of a Republican enactment:

- (a) contained in a printed collection of enactments purporting to be printed and published by an authority of the Republic; or
- (b) contained in an issue of the Official Gazette of the Republic, or
- (c) purporting to be printed by the Government Printer of the Republic, by whatever name called,

is evidence for all purposes, and may be held by a Court to be conclusive evidence, of the due and lawful making of that enactment.

(3) For the purposes of this section, a version of any part of a Republican enactment in the English language:

- (a) purporting to be produced by an authority of the Republic;
- (b) certified as being accurate by an officer of the Administration considered by the Court to have been at the time of such certification a competent and adequate translator into the English language from the language in which the Republican enactment was published in the Republic;
- (c) given or produced in the course of oral evidence of a person whom the Court considers to be a competent translator for the purpose;
- (d) stated orally in court or produced in writing by a Registrar or official court interpreter;

may in any of those cases be held by the Court to be conclusive evidence for all purposes that such version is the accurate English version of the Republican enactment or part of the Republican enactment in question.

(4) For the purposes of this section, the production of:

- (a) a relevant document, the accuracy of which is certified in writing by a senior officer of the Government Department of the Republic responsible for the relevant enactment under which the relevant document was made; or
- (b) an English translation of a relevant document, the accuracy of which is certified in writing by a translator of recognised competence;

may be held by the Court to be conclusive evidence for all purposes of the contents of such document.

## PART 3

### Miscellaneous and final

#### Application to the Crown

**20.**—(1) Subject to subsection (3), this Ordinance, and any public instruments made under it, bind the Crown.

(2) For the purposes of this Ordinance and any public instruments made under it, persons in the service of the Crown shall be treated as employees of the Crown, whether or not they would otherwise be so treated apart from this subsection.

(3) Section 17 (Offences and penalties) does not bind the Crown.

(4) Notwithstanding subsection (3), this Ordinance and any regulations made under it apply to employees of the Crown as they apply to other persons.

(5) Where an offence committed under this Ordinance by any employee of the Crown is proved to have been committed on the instruction, or with the consent or connivance of or to have been attributable to any neglect on the part of that person's Head of Department or any other person employed by the Crown who is in a position of authority over that person, the Head of Department

or that other person, as the case may be, as well as the employee himself, commits an offence and is liable to the same penalty.

### **Repeal**

**21.** The Environmental Impact Assessment Ordinance 2003(a) (“the 2003 Ordinance”) is repealed.

### **Commencement and transitional provisions**

**22.**—(1) This Ordinance comes into force on 1 September 2010.

(2) Subject to subsection (3), this Ordinance applies to all projects and proposed projects where an application for approval has been made under section 4 of the 2003 Ordinance.

(3) Where an assessment has been submitted to the Environment Authority of the Republic under the 2003 Ordinance before the coming into force of this Ordinance, and that Authority has not yet made a decision under section 6(3) of the 2003 Ordinance, that Authority may make that decision, and that decision will have effect as if it had been made by the Chief Officer under section 8(9) of this Ordinance.

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(a) Ordinance 11/2003 as amended by 25/2008

**SCHEDULE 1(a)**

(section 3(1))

**Description of projects for which an environmental impact assessment is prepared**

<i>Serial No.</i>	<i>Description of development</i>
<b>1.</b>	<i>Crude oil refineries including undertakings manufacturing lubricants from crude oil, and installations for the gasification and liquefaction of coal or bituminous shale.</i>
<b>2.</b>	<i>Thermal power stations and other combustion installations with a heat output of 50 megawatts or more and nuclear power stations and other nuclear reactors including their dismantling or disarmament but not including nuclear power stations or nuclear reactors which cease to be defined as such if all nuclear fuel and other materials affected with radiation are permanently removed from the installation site.</i>
<b>3.—(1)</b>	<i>Installations for the processing of radiated nuclear fuel;</i>
<b>(2)</b>	<i>installations designed—</i> <i>(a) for the production or enrichment of nuclear fuel;</i> <i>(b) for the processing or re-processing of irradiated nuclear fuel or highly radioactive waste;</i> <i>(c) for the final disposal of irradiated nuclear fuel;</i> <i>(d) exclusively for the final disposal of radioactive waste;</i> <i>(e) exclusively for the storage (where this is planned for more than 10 years) of radiated nuclear fuel or radioactive waste at a place other than the production site.</i>
<b>4.—(1)</b>	<i>Integrated works for the initial smelting of cast iron, copper or steel;</i>
<b>(2)</b>	<i>installations for the production of non-ferrous crude metals from ore, concentrates or secondary raw materials by metallurgical, chemical or electrolytic processes.</i>
<b>5.</b>	<i>Dismantling of factories or storage places which process or contain hazardous chemical substances or hazardous waste.</i>
<b>6.</b>	<i>Drillings for the storage of nuclear waste.</i>
<b>7.</b>	<i>Installations for the temporary storage or final disposal of asbestos waste.</i>
<b>8.</b>	<i>Integrated chemical installations being installations for the manufacture on an industrial scale of substances, using chemical conversion processes in which several units are juxtaposed and are functionally linked to one another and which are intended for 1 or more of the following purposes—</i> <i>(a) the production of basic organic chemical products;</i> <i>(b) the production of basic inorganic chemical products;</i> <i>(c) the production of phosphorous, nitrogen or potassium based fertilizers (simple or compound fertilizers);</i>

(a) Schedules 1,2,3 and 4 inserted by Ordinance 19/2014 – came into force on 13 June 2014

	<p>(d) the production of basic plant health products and of biocides;</p> <p>(e) the production of basic pharmaceutical products using a chemical or biological process;</p> <p>(f) the production of explosives.</p>
<b>9.—(1)</b>	<i>Airports being specific land or water areas including any buildings, installations or equipment intended to be totally or partially used for the arrival, departure or movement on the ground of aircraft;</i>
(2)	<p><i>construction of roads—</i></p> <p>(a) <i>specifically designed and constructed for road traffic and not serving bordering properties;</i></p> <p>(b) <i>which, in addition to specific or temporary places, have separate lanes for traffic to travel in both directions, separated by a traffic island which is not intended for traffic; or in exceptional cases, by other means; and</i></p> <p>(c) <i>which do not cross at the same level with another road, railway, tramway or pavement;</i></p>
(3)	<i>express roads, being roads intended for road traffic which are accessible only from specific access points or controlled connections and on which parking on the road is prohibited;</i>
(4)	<i>construction of a new road of 4 or more lanes, or realignment or widening of an existing road of 2 lanes or less so as to provide 4 or more lanes, where such new road, or realigned or widened section of road is to be 4 kilometres or more in a continuous length.</i>
<b>10.—(1)</b>	<i>Inland waterways and ports for inland waterway traffic which permit the passage of vessels of over 1,350 tonnes;</i>
(2)	<i>trading ports, piers for loading and unloading connected to land and outside ports (excluding ferry piers) which can take vessels of over 1,350 tonnes.</i>
<b>11.</b>	<i>Waste disposal or recovery installations for the management of solid and hazardous waste in accordance with the relevant Schedule to the Republic's Waste Law (Law 185(I)/2011).</i>
<b>12.</b>	<i>Groundwater abstraction or artificial groundwater recharge schemes where the annual volume of water abstracted or recharged is equivalent to or exceeds 250,000 cubic metres.</i>
<b>13.—(1)</b>	<i>Works for the transfer of water resources, where the amount of water transferred exceeds 500,000 cubic metres per year;</i>
(2)	<i>works for the transfer of water resources between river basins, other than piped drinking water, where the annual average flow of the basin of abstraction exceeds 10,000,000 cubic metres per year and where the amount of water transferred exceeds 5% of this flow but not including transfers of piped drinking water.</i>
<b>14.</b>	<i>Dams and reservoirs.</i>
<b>15.</b>	<i>Water treatment plants with a capacity exceeding 2,000 population equivalent to an organic biodegradable load having a 5-day oxygen demand (BOD5) of 60 grammes of oxygen per day.</i>
<b>16.</b>	<i>Works for the management and use of treated waste water.</i>
<b>17.</b>	<p><i>Installations for—</i></p> <p>(a) <i>the extraction of petroleum and natural gas for commercial purposes of a</i></p>

	<p>capacity exceeding 100 tons per day;</p> <p>(b) the extraction of natural gas for commercial purposes of a capacity exceeding 100,000 cubic metres per day;</p> <p>(c) the production of hydrocarbons in the sea.</p>
18.	Water supply or irrigation pipelines exceeding 60 centimetres in diameter.
19.	<p>Pipelines with a diameter exceeding 400 millimetres and a length of over 10,000 metres, for the transport of—</p> <p>(a) gas, oil or chemical substances; or</p> <p>(b) carbon dioxide streams for the purpose of storage of carbon dioxide in geological formations, including associated booster stations.</p>
20.	<p>Installations for the intensive rearing of poultry or pigs with capacity for more than—</p> <p>(a) 85,000 broilers or 60 000 hens;</p> <p>(b) 3,000 production pigs (weighing more than 30 kilogrammes each); or</p> <p>(c) 900 sows.</p>
21.	Abattoirs with a daily production capacity exceeding 50 tonnes of carcasses per day.
22.	Fish farming with production exceeding 50 tonnes of fish per year.
23.	<p>Industrial installations for the production of—</p> <p>(a) timber pulp or similar fibrous materials;</p> <p>(b) paper and paper board of a production capacity exceeding 25 tonnes per day.</p>
24.	Manufacture and assembly of motor vehicles or motor bikes or manufacture of motor vehicle engines.
25.	Shipyards.
26.	Installations for the manufacture or repair of aircrafts.
27.	Mineral extraction, mines or peat extraction.
28.	Quarries which exceed 2 hectares in area.
29.	Constructions of air pipes for the transport of electricity with voltage exceeding 100 kilovolts and a length of more than 2,000 metres and substations for the transport of electricity.
30.	Storage facilities for petroleum, petrochemicals and chemical products with a total capacity of at least 2,500 tonnes.
31.	Wind generators producing more than 1 megawatt or photovoltaic systems producing more than 100 kilowatts.
32.	Installations for the production of hydroelectric energy.
33.	Stations for the desalination of sea water or brackish water of a capacity greater than 500 cubic metres per day.
34.	Jetties or breakwaters.
35.	Ski runs, ski lifts or other elevations mechanisms and relevant infrastructure.
36.	Leisure boat harbours, fishing ports or fishing shelters.

37.	<i>Golf courses excluding mini golf.</i>
38.	<i>Installations in which genetically modified organisms are produced, used or intended to be produced or used.</i>
39.	<i>Buildings containing ground satellite stations including radio communication constructions or satellite stations located within a building.</i>
40.	<i>Buildings containing radio or television stations including constructions for the emission of radio or television signals from the building as well as constructions for the emission of radio or television analogue signals.</i>
41.	<i>Oil presses.</i>
42.	<i>Shooting grounds.</i>
43.	<i>Animal waste processing or final disposal installations.</i>
44.	<i>Energy co-production installations.</i>
45.	<i>Alterations or extensions of the projects listed in this Schedule, where the alteration or extension itself meets the threshold, if any, which is specified in this Schedule.</i>
46.	<i>Carbon dioxide storage sites.</i>
47.	<i>Carbon dioxide stream capture installations—</i> <i>(a) for the storage of carbon dioxide in geological formations; or</i> <i>(b) whose total annual carbon dioxide capture is equal or greater than 1.5 megatonnes.</i>



**SCHEDULE 2**

(SECTION 3(1))

*Description of projects for which a preliminary environmental impact report is prepared*

<i>Serial No.</i>	<i>Description of development</i>
<b>1.</b>	<i>Agriculture, silviculture and aquaculture—</i>
	<ul style="list-style-type: none"> <li><i>(a) projects for the restructuring of rural land holdings;</i></li> <li><i>(b) projects for the use of uncultivated land or semi-natural areas of intensive agricultural cultivations;</i></li> <li><i>(c) water management projects for agriculture, including irrigation or land drainage projects;</i></li> <li><i>(d) projects for the diversion of water resources from 1 hydrological basin to another;</i></li> <li><i>(e) water supply or irrigation pipes when placed within areas protected for environmental or other purposes;</i></li> <li><i>(f) initial afforestation and deforestation for the purposes of conversion of another type of land use;</i></li> <li><i>(g) intensive livestock installations (not included in Schedule 1);</i></li> <li><i>(h) intensive fish farming (not included in Schedule 1).</i></li> </ul>
<b>2.</b>	<i>Extractive industries—</i>
	<ul style="list-style-type: none"> <li><i>(a) quarries (not included in Schedule 1);</i></li> <li><i>(b) underground mining;</i></li> <li><i>(c) extraction of minerals by marine or fluvial dredging;</i></li> <li><i>(d) deep drilling, in particular geothermal drilling or drilling for water supplies, but which does not include drilling for investigating the stability of the soil;</i></li> <li><i>(e) surface industrial installations for the extraction of coal, petroleum, natural gas or ores, as well as bituminous shale.</i></li> </ul>
<b>3.</b>	<i>Energy industry—</i>
	<ul style="list-style-type: none"> <li><i>(a) industrial installations for the production of electricity, steam and hot water (not included in Schedule 1);</i></li> <li><i>(b) industrial installations for carrying gas, steam or hot water or transmission of electrical energy by overhead cables (not included in Schedule 1);</i></li> <li><i>(c) surface storage of natural gas;</i></li> <li><i>(d) underground storage of combustible gases;</i></li> <li><i>(e) surface storage of fossil fuels;</i></li> <li><i>(f) industrial briquetting of coal and lignite;</i></li> <li><i>(g) installations for the processing and storage of radioactive waste (not included in Schedule 1);</i></li> <li><i>(h) wind generators producing more than 30 kilowatts but less than 100 kilowatts;</i></li> <li><i>(i) construction of air pipes for the carrying of electricity with a voltage less than 100 kilowatts and electricity substations;</i></li> <li><i>(j) carbon dioxide stream capture installations for the purpose of storage of carbon dioxide in geological formations (not included in Schedule 1).</i></li> </ul>

4.	<i>Production and processing metals—</i>
	<ul style="list-style-type: none"> <li>(a) <i>installations for the production of pig iron or steel (primary or secondary fusion) including continuous casting;</i></li> <li>(b) <i>installations for the processing of ferrous metals with hot-rolling mills, smitheries with hammers, application of protective fused metal coats;</i></li> <li>(c) <i>ferrous metal foundries;</i></li> <li>(d) <i>installations for the smelting, including the alloyage of non-ferrous metals and recovered products (refining, foundry casting, etc.) but not including precious metals;</i></li> <li>(e) <i>installations for surface treatment of metals and plastic materials using an electrolytic or chemical process;</i></li> <li>(f) <i>manufacture of railway equipment;</i></li> <li>(g) <i>swaging by explosives;</i></li> <li>(h) <i>installations for the roasting and sintering of metallic ores.</i></li> </ul>
5.	<i>Mineral industries—</i>
	<ul style="list-style-type: none"> <li>(a) <i>coke ovens (dry coal distillation);</i></li> <li>(b) <i>installations for the manufacture of cement;</i></li> <li>(c) <i>installations for the production of asbestos and the manufacture of asbestos-based products (not included in Schedule 1);</i></li> <li>(d) <i>installations for the manufacture of glass including glass fibre;</i></li> <li>(e) <i>installations for smelting mineral substances including the production of mineral fibres;</i></li> <li>(f) <i>manufacture of ceramic products by burning, in particular roofing tiles, bricks, refractory bricks, tiles, stoneware or porcelain.</i></li> </ul>
6.	<i>Chemical industries (projects not included in Schedule 1)—</i>
	<ul style="list-style-type: none"> <li>(a) <i>treatment of intermediate products and production of chemicals;</i></li> <li>(b) <i>production of pesticides and pharmaceutical products, paint and varnishes, elastomers and peroxides;</i></li> <li>(c) <i>storage facilities for petroleum, petrochemical and chemical products.</i></li> </ul>
7.	<i>Food industries—</i>
	<ul style="list-style-type: none"> <li>(a) <i>manufacture of vegetable and animal oils and fats;</i></li> <li>(b) <i>packing or canning of animal and vegetable products;</i></li> <li>(c) <i>manufacture of dairy products;</i></li> <li>(d) <i>brewing or malting;</i></li> <li>(e) <i>confectionery or syrup manufacture;</i></li> <li>(f) <i>abattoirs;</i></li> <li>(g) <i>fish meal or fish oil factories;</i></li> <li>(h) <i>sugar factories.</i></li> </ul>
8.	<i>Textile, leather, wood and paper industries—</i>
	<ul style="list-style-type: none"> <li>(a) <i>industrial installations for the production of paper or board (not included in Schedule 1);</i></li> <li>(b) <i>installations for the pretreatment (operations such as washing, bleaching, mercerization) or dyeing of fibres or textiles;</i></li> <li>(c) <i>installations for the tanning of hides or skins;</i></li> </ul>

	<i>(d) cellulose-processing or production installations.</i>
<b>9.</b>	<i>Rubber industry—</i>
	<i>being the manufacture or treatment of elastomer-based products.</i>
<b>10.</b>	<i>Infrastructure projects—</i>
	<ul style="list-style-type: none"> <li><i>(a) industrial estate development projects;</i></li> <li><i>(b) urban development projects including—</i> <ul style="list-style-type: none"> <li><i>(i) shopping centres or big supermarkets of more than 2,500 square metres;</i></li> <li><i>(ii) independent car parks with a capacity exceeding 300 vehicles;</i></li> <li><i>(iii) football fields or stadiums with a capacity exceeding 2,000 seated spectators;</i></li> <li><i>(iv) cinema complexes with more than 6 screens;</i></li> <li><i>(v) higher education schools with a capacity exceeding 500 students;</i></li> <li><i>(vi) university campuses;</i></li> <li><i>(vii) temples and religious places of worship;</i></li> </ul> </li> <li><i>(c) construction of railways or intermodal trans-shipment facilities or intermodal terminals (not included in Schedule 1);</i></li> <li><i>(d) construction of airfields (not included in Schedule 1);</i></li> <li><i>(e) construction of harbours or port installations (not included in Schedule 1);</i></li> <li><i>(f) inland-waterway construction (not included in Schedule 1), canalization or flood-relief works;</i></li> <li><i>(g) construction of a new road of 4 or more lanes, or realignment or widening of an existing road of 2 lanes or less so as to provide 4 or more lanes (not included in Schedule 1);</i></li> <li><i>(h) widening or general upgrading of roads—</i> <ul style="list-style-type: none"> <li><i>(i) in rural areas where there is more than 50% surrounding natural vegetation at a continuous road length of at least 1,000 metres;</i></li> <li><i>(ii) within seashore protection zones or areas or landscapes which have been declared or defined as protected in accordance with legislation and any international instruments;</i></li> <li><i>(iii) where the work is reasonably expected to have an impact on the river bed or river banks or characteristic features of the natural, historical, cultural or archeological heritage or natural corridors of flora and fauna or habitats of migrating species or areas with endemic flora and fauna species, wetlands, dunes, cliffs, caves, significant geomorphological and fossiliferous formations, canyons, estuaries, shores or the natural coastline;</i></li> </ul> </li> <li><i>(i) small replenishment embankments or weirs manufactured in rivers with gabions in order to replenish aquifers if these are constructed in mountain or forest areas;</i></li> <li><i>(j) construction to change or regulate the river bed or water flow;</i></li> <li><i>(k) tramways, elevated or underground railways, suspended lines or similar lines of a particular type, used exclusively or mainly for passenger transport;</i></li> <li><i>(l) oil and gas pipeline installations and pipelines for the transport of carbon dioxide streams for the purposes of geological storage (not included in Schedule 1);</i></li> <li><i>(m) water pipes exceeding 2,000 metres in length;</i></li> <li><i>(n) coastal work to combat erosion and maritime works capable of altering the</i></li> </ul>

	<p><i>coast through the construction, for example, of dykes, moles, jetties or other sea defence works, (not included in Schedule 1) excluding the maintenance and reconstruction of such works;</i></p> <p>(o) <i>reclamation of land from the sea;</i></p> <p>(p) <i>groundwater abstraction and artificial groundwater recharge schemes (not included in Schedule 1);</i></p> <p>(q) <i>works for the transfer of water resources between river basins (not included in Schedule 1);</i></p> <p>(r) <i>mobile stations for the desalination of sea water or brackish water, of a capacity greater than 500 cubic metres but not exceeding 1,500 cubic metres per day; excluding hotels and tourist developments which are in operation as at 1 September 2014 which may obtain the water for their own use under the condition that the desalination stations are installed within the limits of the hotel or tourist development as determined by legislation;</i></p> <p>(s) <i>permanent stations for the desalination of sea water or brackish water of a capacity of up to 500 cubic metres per day.</i></p>
<b>11.</b>	<i>Tourism and leisure projects—</i>
	<p>(a) <i>holiday residential areas and hotel complexes outside residential zones or relevant infrastructure projects;</i></p> <p>(b) <i>permanent camping places or caravan parking areas;</i></p> <p>(c) <i>theme parks;</i></p> <p>(d) <i>zoos.</i></p>
<b>12.</b>	<i>Other projects—</i>
	<p>(a) <i>permanent racing or test tracks for motorized vehicles;</i></p> <p>(b) <i>installations for the disposal of waste (not included in Schedule 1);</i></p> <p>(c) <i>waste water treatment installations (not included in Schedule 1);</i></p> <p>(d) <i>water treatment stations (not included in Schedule 1);</i></p> <p>(e) <i>sludge deposition sites for the treatment of waste or waste water (not included in Schedule 1);</i></p> <p>(f) <i>storage of scrap iron, including scrap vehicles;</i></p> <p>(g) <i>test benches for engines, turbines or reactors;</i></p> <p>(h) <i>installations for the manufacture of artificial mineral fibres;</i></p> <p>(i) <i>installations for the recovery or destruction of explosive substances;</i></p> <p>(j) <i>knackers' yards;</i></p> <p>(k) <i>mobile telephony antennae in protected or forest areas;</i></p> <p>(l) <i>water bottling plants;</i></p> <p>(m) <i>game breeding farms;</i></p> <p>(n) <i>division of immovable property into more than 50 plots.</i></p>
<b>13.</b>	<i>Any alterations or extensions of the projects listed in Schedule 1 or in this Schedule which have been authorised, executed or in the process of being executed and which are likely to have an important negative impact on the environment.</i>
<b>14.</b>	<i>Any projects in Schedule 1 which are exclusively or mainly undertaken for the development or testing of new methods or products and are not intended to be used for more than 2 years.</i>

## SCHEDULE 3

(section 7(2)(a))

### *Information required for an environmental impact assessment*

1. *Description of the project, including in particular—*
  - (a) *a description of the physical characteristics of the whole project and the land use requirements during the construction and operational phases;*
  - (b) *a description of the main characteristics of the production processes, for instance, nature and quantity of the materials used;*
  - (c) *an estimate, by type and quantity, of expected residues and emissions (water, air and soil pollution, noise, vibration, light, heat, radiation, etc.) resulting from the operation of the proposed project.*
2. *An outline of the main alternatives studied by the developer and an indication of the main reasons for this choice, taking into account the environmental effects.*
3. *A description of the aspects of the environment likely to be significantly affected by the proposed project, and the alternative solutions, including, in particular, population, fauna, flora, soil, water, air, climatic factors, material assets, including the architectural and archaeological heritage, landscape and the inter-relationship between the above factors.*
4. *A description of the likely significant direct, indirect, secondary, cumulative, short term, middle term and long term, permanent and temporary, positive and negative effects of the proposed project on the environment resulting from—*
  - (a) *the existence of the project;*
  - (b) *the use of natural resources;*
  - (c) *the emission of pollutants, the creation of nuisances and the elimination of waste; and*
  - (d) *the description by the developer of the forecasting methods used to assess the effects on the environment.*
5. *A description of the measures which were examined, taken or are proposed to prevent, reduce or offset any significant adverse effects on the environment and, where possible, counterbalance or compensate either naturally or financially any damages to the environment and the significant adverse effects of the projects on the environment.*
6. *Non-technical summary of the information provided under the above headings including a visual presentation with maps, designs and diagrams, tables, graphics, photographs etc where required.*
7. *A detailed presentation and determination of the estimation methods followed to assess the environmental impact as well as the main admissions and hypotheses adopted and the relevant environmental data used and the measurements, models and methods to predict and estimate in order to assess the possible impact on the environment and the consequences, as well as the data and their sources.*
8. *An indication of any difficulties (technical deficiencies, unknown data or lack of know-how) encountered when collecting and compiling the required information.*
9. *Where relevant, details and specific observations and management programmes as well as suggestions to analyse the situation on the completion of the project and for the examination of the long term environmental and social effects from the impact identified.*
10. *If the time period for the operation of the project is estimated to be limited, an accurate determination of such period and information regarding the consequences on the termination of its operation or if it is abandoned.*

*11. If the project will be used for the keeping or use of genetically modified organisms or for the keeping, development or use of non-endemic or non-indigenous fauna and flora species, their scientific description and analysis of their origins and means and measures for their containment.*

*12. A description of the possible direct or indirect parameters which may affect detrimentally those in the vicinity as result of the construction, operation, maintenance or abandonment of the project; the study must include measures for the management of possible risks as well as the probability of them occurring.*

## SCHEDULE 4

(section 11(4))

### *Criteria for examining a request for directions*

#### *1. Characteristics of projects—*

*The characteristics of projects must be considered having regard, in particular to—*

- (a) the size of the project;*
- (b) the cumulative effect in conjunction with other projects;*
- (c) the use of natural resources;*
- (d) the production of waste;*
- (e) pollution and nuisances.*

#### *2. Location of projects—*

*The environmental sensitivity of geographical areas likely to be affected by projects must be considered, having regard, in particular, to—*

- (a) the existing land use;*
- (b) the relative abundance, quality and regenerative capacity of natural resources in the area;*
- (c) the absorption capacity of the natural environment, paying particular attention to the following areas—*
  - (i) wetlands;*
  - (ii) coastal zones;*
  - (iii) mountain and forest areas;*
  - (iv) nature reserves and parks;*
  - (v) preserved or protected areas under any legislation in force;*
  - (vi) areas in which the standards for the quality of the environment determined by the legislation have already been exceeded;*
  - (vii) densely populated areas;*
  - (viii) landscapes of historical, cultural or archaeological significance.*

#### *3. Characteristics of the potential impact—*

*The potential significant effects of projects must be considered in relation to criteria set out under 1 and 2 above, and having regard in particular to—*

- (a) the extent of the impact (geographical area and size of the affected population);*
- (b) the transboundary nature of the impact;*
- (c) the magnitude and complexity of the impact;*
- (d) the probability of the impact;*
- (e) the duration, and frequency and the potential for reversal of the impact.*