



STATUTORY INSTRUMENTS.

**S.I. No. 463 of 2025**



EUROPEAN UNION (ENVIRONMENTAL ASSESSMENT OF CERTAIN  
PLANS AND PROGRAMMES) (AMENDMENT) REGULATIONS 2025

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I, JAMES BROWNE, Minister for Housing, Local Government and Heritage, in exercise of the powers conferred on me by section 3 of the European Communities Act 1972 (No. 27 of 1972), for the purposes of giving further effect to Directive 2001/42/EC of the European Parliament and Council of 27 June 2001<sup>1</sup>, hereby make the following regulations:

*Citation*

1. (1) These Regulations may be cited as the European Union (Environmental Assessment of Certain Plans and Programmes) (Amendment) Regulations 2025.

(2) These Regulations (other than Regulation 4(b)) come into operation on the 2nd day of October 2025.

(3) Regulation 4(b) comes into operation on the commencement of sections 25(8) and 25(9) and Chapters 5 and 6 of the Planning and Development Act 2024 (No. 34 of 2024).

*Definition*

2. In these Regulations, “Principal Regulations” means European Communities (Environmental Assessment of Certain Plans and Programmes) Regulations 2004 (S.I. No. 435 of 2004).

*Amendment of Principal Regulations*

3. The Principal Regulations are amended—

(a) in Article 3, by inserting after paragraph (2) the following:

“(3) Articles 9 to 17 shall not apply to a plan or programme made under Part 3, 21 or 22 of the Planning and Development Act 2024 (No. 34 of 2024).”,

and

(b) by inserting after Article 17 the following:

*“Joint or coordinated assessments*

18. Where in relation to a plan or programme, there is an obligation to carry out an assessment under these Regulations and Article 6 of the Habitats Directive, a competent authority may for the purpose of avoiding duplication of effort—

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<sup>1</sup> OJ No L 197, 21.07. 2001, p. 30 -37

- (a) carry out both assessments jointly to the extent that the carrying out of the assessments jointly, or
- (b) provide for a coordinated procedure in relation to both assessments to fulfil the requirements of these Regulations or that Article to the extent that the coordinated procedure, would not hinder compliance with any of the requirements of these Regulations or Article 6 of the Habitats Directive in relation to either such assessment.”.

*Revocation*

- 4. The following are revoked:
  - (a) Article 7 of the Principal Regulations and
  - (b) Articles 4 to 6 and 8 of the Principal Regulations.



GIVEN under my Official Seal,  
2 October, 2025.

JAMES BROWNE,  
Minister for Housing, Local Government and Heritage.

EXPLANATORY NOTE

*(This note is not part of the Instrument and does not purport to be a legal interpretation.)*

These Regulations provide for consequential amendments to the European Communities (Environmental Assessment of Certain Plans and Programmes) Regulations 2004 (S.I. No. 435 of 2004) following the enactment of the Planning and Development Act 2024.

The amendments provide that these Regulations do not apply to the following plans made under Part 3, Part 21 and Part 22 of the Planning and Development Act 2024:

- National Planning Framework;
- National Planning Statement;
- Regional Spatial and Economic Strategy;
- Development Plan;
- Urban Area Plan;
- Priority Area Plan;
- Coordinated Area Plan;
- Ministerial Direction;
- Ministerial Order;
- Planning Scheme for Strategic Development Zone; and
- Planning Scheme for Urban Development Zone.

The Regulations also revoke Articles 4, 5, 6, 7 and 8 which provided regulation making powers for the Minister in the Planning and Development Act 2000 regarding strategic environmental assessment.

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