STATUTORY RULES OF NORTHERN IRELAND

2006 No. 483

EUROPEAN COMMUNITIES

WATER AND SEWERAGE

The Water Resources (Environmental Impact Assessment) (Amendment) Regulations (Northern Ireland) 2006

Made - - - -	*27th November 2006*
Coming into operation	*1st February 2007*

The Department of the Environment, being a department designated(**1**) for the purposes of section 2(2) of the European Communities Act 1972(**2**) in relation to measures relating to the requirement for an assessment of the impact on the environment of projects likely to have significant effects on the environment, in exercise of powers conferred upon it by that section makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Water Resources (Environmental Impact Assessment) (Amendment) Regulations (Northern Ireland) 2006 and shall come into operation on 1st February 2007.

Interpretation

2.—(1) In these Regulations—

"the Abstraction Regulations" means the Water Abstraction and Impoundment (Licensing) Regulations (NI) 2006(**3**); and

"the Principal Regulations" means the Water Resources (Environmental Impact Assessment) Regulations (NI) 2005(**4**).

(2) The Interpretation Act (Northern Ireland) 1954(**5**) shall apply to these Regulations as it applies to an Act of the Assembly.

(**1**) S.I. 1988/785
(**2**) 1972 c.68
(**3**) S.R. 2006 No. 482
(**4**) S.R. 2005 No. 32
(**5**) 1954 c.33 (N.I.)

Amendment of the Principal Regulations

3.—(1) The Principal Regulations shall be amended in accordance with paragraphs (2) to (9).

(2) In regulation 2(2)—

(a) omit the definition of "application";

(b) omit the definition of "consent";

(c) in the definition of "the Directive", after "97/11/EC", insert the words "and Council Directive 2003/35/EC on providing for public participation in respect of the drawing up of certain plans and programmes relating to the environment and amending with regard to public participation and access to justice Council Directives 85/337/EEC and 96/61/EC";

(d) insert the following definition at the appropriate place—

""licence" means a licence granted under regulation 10 of the Water Abstraction and Impoundment (Licensing) Regulations (NI) 2006;".

(3) In regulation 4—

(a) in paragraph (1) for the words from the beginning to "that project" substitute the words "Any person ("the applicant") who proposes to apply for, or for the modification of, a licence in relation to a project which may be a relevant project"; and

(b) in paragraph (11) for the word "consent" substitute the words "or for the modification of, a licence".

(4) For regulation 5 substitute the following regulation—

"**5.** An environmental statement and any further information required by the Department under regulation 6(7) shall be provided in relation to an application for, or for the modification of, a licence for a relevant project.".

(5) In regulation 6, in paragraph (2), for the word "application," substitute the words "application for, or for the modification of, a licence for a relevant project".

(6) For regulation 8 substitute the following regulation—

"**Publicity for an application**

8.—(1) Where an environmental statement or further information is provided in accordance with regulation 6, the applicant shall publish in the Belfast Gazette and such newspapers circulating in the relevant locality as the Department shall by notice in writing specify, a notice —

(a) stating the applicant's name and that he has made an application to which these Regulations apply and that he has provided the Department with an environmental statement or further information in accordance with regulation 6;

(b) naming a place in the relevant locality at which copies of the application, the environmental statement and any further information may be inspected free of charge at all reasonable hours within a period of twenty-eight days beginning on the date the notice was published;

(c) specifying an address at which copies of the application, the environmental statement and any further information may be obtained from the applicant and, if a charge is to be made for a copy, the amount (not exceeding a reasonable charge for copying) of the charge; and

(d) stating that any person wishing to make representations in relation to the application should make them to the Department in writing within a period of twenty-eight days beginning on the date the notice was first published in the newspaper, at a specified address nominated by the Department.