
STATUTORY RULES OF NORTHERN IRELAND

2018 No. 200

**AQUATIC ANIMAL HEALTH
ENVIRONMENTAL PROTECTION
FISHERIES
SEA FISHERIES
WATER AND SEWERAGE**

**The Environment (Miscellaneous Amendments)
Regulations (Northern Ireland) 2018**

Made - - - - 30th November 2018

Coming into operation 24th December 2018

The Department of Agriculture, Environment and Rural Affairs **(1)** makes these Regulations in exercise of the powers conferred by section 2(2) of, and paragraph 1A of Schedule 2 to, the European Communities Act 1972**(2)**.

The Department of Agriculture, Environment and Rural Affairs is designated for the purposes of section 2(2) of the European Communities Act 1972 in relation to—

- (a) measures relating to the prevention, reduction and elimination of pollution caused by waste**(3)**;
- (b) measures relating to the management of packaging and packaging waste**(4)**;
- (c) measures relating to the common agricultural policy of the European Union**(5)**; and,
- (d) the environment**(6)**.

(1) Formerly the Department of Agriculture and Rural Development (DARD see Article 3(4) of the Departments (Northern Ireland) Order 1999 ([S.I. 1999/283 \(N.I.1\)](#)). DARD was renamed the Department of Agriculture, Environment and Rural Affairs (DAERA) by Article 1(2) of the Departments Act (Northern Ireland) 2016 ([2016 c.5 \(N.I.\)](#)). The Department of the Environment was dissolved by section 1(9) of the Departments Act (Northern Ireland) 2016 and, by virtue of Article 8(1)(c) of the Departments (Transfer of Functions) Order (Northern Ireland) 2016, its functions for the purpose of these Regulations were transferred to the Department of Agriculture, Environment and Rural Affairs.

(2) [1972 c.68](#) section 2(2) was amended by the Legislative and Regulatory Reform Act 2006 ([2006 c.51](#)) (the 2006 Act), section 27(1)(a) and the European Union (Amendment) Act 2008 ([2008 c.7](#)) (the 2008 Act), the Schedule Part 1. Paragraph 1A of Schedule 2 was inserted by the 2006 Act, section 28, and was amended by the 2008 Act, the Schedule Part 1. Section 2(2) and paragraph 1A of Schedule 2 are prospectively repealed by the European Union (Withdrawal) Act 2018 ([2018 c.16](#)), section 1 from exit day (see section 20 of that Act).

(3) [S.I. 1992/2870](#)

(4) [S.I. 1996/266](#)

(5) [S.I. 1972/1811](#) and [S.I. 2000/2812](#)

(6) [S.I. 2008/301](#)

These Regulations make provision for a purpose mentioned in section 2(2) of the European Communities Act 1972 and it appears to the Department that it is expedient for certain references to provisions of EU instruments to be construed as references to those provisions as amended from time to time.

PART 1

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as The Environment (Miscellaneous Amendments) Regulations (Northern Ireland) 2018 and shall come into operation on 24th December 2018.

(2) The Interpretation Act (Northern Ireland) 1954⁽⁷⁾ applies to these Regulations as it applies to an Act of the Assembly.

PART 2

Amendment of Waste Provisions

2.—(1) Schedule 1 of these Regulations amends the Waste Provisions.

(2) For the purposes of these Regulations “the Waste Provisions” means—

- (a) the Controlled Waste (Registration of Carriers and Seizure of Vehicles) Regulations (Northern Ireland) 1999⁽⁸⁾;
- (b) the Waste Management Licensing Regulations (Northern Ireland) 2003⁽⁹⁾;
- (c) the Landfill Regulations (Northern Ireland) 2003⁽¹⁰⁾;
- (d) the Landfill Allowances Scheme (Northern Ireland) Regulations 2004⁽¹¹⁾;
- (e) the Hazardous Waste Regulations (Northern Ireland) 2005⁽¹²⁾;
- (f) the Producer Responsibility Obligations (Packaging Waste) Regulations (Northern Ireland) 2007⁽¹³⁾;
- (g) the Environmental Liability (Prevention and Remediation) Regulations (Northern Ireland) 2009⁽¹⁴⁾;
- (h) the Waste Regulations (Northern Ireland) 2011⁽¹⁵⁾;
- (i) the Single Use Carrier Bags Charge Regulations (Northern Ireland) 2013⁽¹⁶⁾; and,
- (j) the Controlled Waste and Duty of Care Regulations (Northern Ireland) 2013⁽¹⁷⁾.

(7) 1954 c.33 (N.I.)

(8) S.R. 1999 No. 362 to which there are no relevant amendments

(9) S.R. 2003 No. 493 relevant amendments are S.R. 2003 No. 496, S.R. 2005 No. 300, S.R. 2006 No. 280, S.R. 2006 No. 519, S.R. 2009 No. 76, S.R. 2009 No. 159, S.R. 2011 No. 127, S.R. 2011 No. 124, S.R. 2013 No. 241, S.R. 2014 No. 137, S.R. 2015 No. 288 and S.R. 2016 No. 95

(10) S.R. 2003 No. 496 as amended by S.R. 2004 No. 297 and S.R. 2005 No. 300

(11) S.R. 2004 No. 416 as amended by S.R. 2005 No. 588 and S.R. 2009 No. 46

(12) S.R. 2005 No. 300 as amended by S.R. 2005 No. 461 and S.R. 2006 No. 280

(13) S.R. 2007 No. 198 as amended by S.R. 2008 No. 77 and S.R. 2008 No. 373

(14) S.R. 2009 No. 252 as amended by S.R. 2009 No. 361, S.R. 2011 No. 127 and S.R. 2015 No. 231

(15) S.R. 2011 No. 127 as amended by S.R. 2011 No. 232 and S.R. 2013 No. 241

(16) S.R. 2013 No. 4 as amended by 2014 c.7 (N.I.)

(17) S.R. 2013 No. 255 as relevantly amended by S.R. 2014 No. 117

PART 3

Amendment of Water Provisions

- 3.—(1) Schedule 2 of these Regulations amends the Water Provisions.
- (2) For the purposes of these Regulations “the Water Provisions” means—
- (a) the Control of Asbestos in Water Regulations (Northern Ireland) 1995(18);
 - (b) the Urban Waste Water Treatment Regulations (Northern Ireland) 2007(19);
 - (c) the Quality of Bathing Water Regulations (Northern Ireland) 2008(20);
 - (d) the Groundwater Regulations (Northern Ireland) 2009(21);
 - (e) the Water Supply (Domestic Distribution Systems) Regulations (Northern Ireland) 2010(22);
 - (f) the Chemical Analysis of Water Status (Technical Specifications) Regulations (Northern Ireland) 2011(23);
 - (g) the Water Framework Directive (Classification, Priority Substances and Shellfish Waters) Regulations (Northern Ireland) 2015(24);
 - (h) the Water Environment (Water Framework Directive) Regulations (Northern Ireland) 2017(25);
 - (i) the Private Water Supplies Regulations (Northern Ireland) 2017(26); and,
 - (j) the Water Supply (Water Quality) Regulations (Northern Ireland) 2017(27).

PART 4

Amendment of Air and Environmental Quality Provisions

- 4.—(1) Schedule 3 of these Regulations amends the Air and Environmental Quality Provisions.
- (2) For the purposes of these Regulations “the Air and Environmental Quality Provisions” means

- (a) the Sulphur Content of Liquid Fuels Regulations (Northern Ireland) 2007(28);
- (b) the Air Quality Standards Regulations (Northern Ireland) 2010(29);
- (c) the Pollution Prevention and Control (Industrial Emissions) Regulations (Northern Ireland) 2013(30); and,
- (d) the Emissions Performance Standard Monitoring and Enforcement Regulations (Northern Ireland) 2016(31).

(18) S.R. 1995 No. 93 as amended by S.R. 1996 No. 602

(19) S.R. 2007 No. 187

(20) S.R. 2008 No. 231 as amended by S.R. 2102 No. 218, S.R. 2013 No. 151, S.R. 2017 No. 81 and S.R. 2018 No. 104

(21) S.R. 2009 No. 254 as amended by S.R. 2009 No. 359, S.R. 2011 No. 211, S.R. 2014 No. 208, S.R. 2016 No. 119 and S.R. 2017 No. 81

(22) S.R. 2010 No. 157

(23) S.R. 2011 No. 238 as amended by S.R. 2017 No. 81

(24) S.R. 2015 No. 351 as amended by S.R. 2017 No. 81

(25) S.R. 2017 No. 81

(26) S.R. 2017 No. 211

(27) S.R. 2017 No. 212

(28) S.R. 2007 No. 272 as amended by S.R. 2014 No. 147

(29) S.R. 2010 No. 188 as amended by S.R. 2017 No. 2 and SR 2018 No. 33

(30) S.R. 2013 No. 160 as amended by S.R. 2014 No. 304 and SR 2015 No. 14

(31) S.R. 2016 No. 28

PART 5

Amendment of Aquatic Animal Health, Fisheries, Marine and Sea Fisheries Provisions

5.—(1) Schedule 4 of these Regulations amends the Aquatic Animal Health, Fisheries, Marine and Sea Fisheries Provisions.

(2) For the purposes of these Regulations “the Aquatic Animal Health, Fisheries, Marine and Sea Fisheries Provisions” means—

- (a) the Sea Fish Licensing Order 1992⁽³²⁾;
- (b) the Prohibition of Fishing with Multiple Trawls Order 2001⁽³³⁾;
- (c) the Shrimp Fishing Nets Order (Northern Ireland) 2005⁽³⁴⁾;
- (d) the Aquatic Animal Health Regulations (Northern Ireland) 2009⁽³⁵⁾;
- (e) The Marine Licensing (Exempted Activities) Order (Northern Ireland) 2011⁽³⁶⁾; and,
- (f) the Mussels (Prohibition of Fishing) Regulations (Northern Ireland) 2013⁽³⁷⁾.

PART 6

Amendment of Conservation and Environmental Impact Assessment Provisions

6.—(1) Schedule 5 amends the Conservation and Environmental Impact Assessment Provisions.

(2) For the purposes of these Regulations “the Conservation and Environmental Impact Assessment Provisions” means—

- (a) the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995⁽³⁸⁾;
- (b) the Environmental Assessment of Plans and Programmes Regulations (Northern Ireland) 2004⁽³⁹⁾;
- (c) the Environmental Impact Assessment (Forestry) Regulations (Northern Ireland) 2006⁽⁴⁰⁾;
- (d) the Environmental Impact Assessment (Agriculture) Regulations (Northern Ireland) 2007⁽⁴¹⁾; and,
- (e) the Water Resources (Environmental Impact Assessment) Regulations (Northern Ireland) 2017⁽⁴²⁾.

⁽³²⁾ S.I. 1992 No. 2633

⁽³³⁾ S.I. 2001 No. 650

⁽³⁴⁾ S.R. 2005 No. 349 as amended by S.R. 2007 No. 499

⁽³⁵⁾ S.R. 2009 No. 129 as amended by S.R. 2011 No. 118

⁽³⁶⁾ S.R. 2011 No. 78

⁽³⁷⁾ S.R. 2013 No. 1

⁽³⁸⁾ S.R. 1995 No. 380. Amendments have been made by S.R. 2004 No. 435, S.R. 2007 No. 345, S.R. 2009 No. 8, S.R. 2011 No. 216, S.R. 2012 No. 368, 2013 c.10 (N.I.) and S.R. 2015 No. 182

⁽³⁹⁾ S.R. 2004 No. 280

⁽⁴⁰⁾ S.R. 2006 No. 518 as amended by S.R. 2007 No. 355 and S.R. 2017 No. 86

⁽⁴¹⁾ S.R. 2007 No. 421 as amended by S.R. 2008 No. 278 and S.R. 2017 No. 198

⁽⁴²⁾ S.R. 2017 No. 85

Sealed with the Official Seal of the Department of Agriculture Environment and Rural Affairs on 30th November 2018.



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