

SCHEDULES

SCHEDULE 3

MINOR AND CONSEQUENTIAL AMENDMENTS

PART 3

STATUTORY NUISANCE

*The Pollution Control and Local Government
(Northern Ireland) Order 1978 (NI 19)*

9.—(1) In Article 41(9) for the words “Article 39” substitute “ section 70 of the Clean Neighbourhoods and Environment Act (Northern Ireland) 2011 ”.

(2) In Article 45(8) for the words “Article 39” substitute “ section 70 of the Clean Neighbourhoods and Environment Act (Northern Ireland) 2011 ”.

(3) For Article 54(2) substitute—

“(2) In determining whether an offence is a further offence against this Part, account shall be taken of any offence under section 65(9) of the Clean Neighbourhoods and Environment Act (Northern Ireland) 2011 where the offence consists of contravening an abatement notice relating to noise and of any offence under section 70(10) of that Act where the prohibition relates to noise as if it were an offence against this Part.”

(4) In Article 65—

(a) in paragraph (1)—

(i) for the words “sections 110 to 116 of the Public Health (Ireland) Act 1878” substitute “ Part 7 of the Clean Neighbourhoods and Environment Act (Northern Ireland) 2011 ”;

(ii) for the words “the said section 110” substitute “ section 65 of the Clean Neighbourhoods and Environment Act (Northern Ireland) 2011 ”;

(b) in paragraph (4) for the words “sections 110 to 116 of the Public Health (Ireland) Act 1878” substitute “ Part 7 of the Clean Neighbourhoods and Environment Act (Northern Ireland) 2011 ”.

Changes to legislation: *There are currently no known outstanding effects for the Clean Neighbourhoods and Environment Act (Northern Ireland) 2011, Paragraph 9. (See end of Document for details)*

(5) In Article 69(1) after the words “the Public Health Acts 1878 to 1967” insert “or Part 7 of the Clean Neighbourhoods and Environment Act (Northern Ireland) 2011”.

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Commencement Information

II [Sch. 3 para. 9](#) in operation at 1.4.2012 by [S.R. 2012/13](#), art. 2(2), [Sch. 2](#)

Changes to legislation:

There are currently no known outstanding effects for the Clean Neighbourhoods and Environment Act (Northern Ireland) 2011, Paragraph 9.