

Status: This version of this schedule contains provisions that are prospective.
Changes to legislation: There are currently no known outstanding effects for the
 Reservoirs Act (Northern Ireland) 2015, SCHEDULE 3. (See end of Document for details)

SCHEDULES

PROSPECTIVE

SCHEDULE 3

Section 119(1).

MINOR AND CONSEQUENTIAL AMENDMENTS

The Water and Sewerage Services (Northern Ireland) Order 2006 (NI 21)

1 The Water and Sewerage Services (Northern Ireland) Order 2006 is amended as follows.

2 In Article 293 (procedure of the Water Appeals Commission)—

- (a) in paragraph (6), for “(9) or (10)” substitute “ (9), (10) or (10A) ”,
- (b) after paragraph (10), insert—

“(10A) This paragraph applies to a decision by the Appeals Commission on an appeal falling within any of the following sub-paragraphs—

- (a) an appeal (under section 21 of the Reservoirs Act (Northern Ireland) 2015) against a decision in a review of a reservoir designation of a controlled reservoir,
- (b) an appeal (made by virtue of regulations made under section 27(1) of that Act) against a decision as to whether a high-consequence or medium-consequence reservoir is of an acceptable standard as regards how it is being maintained: frequency of visits by supervising engineer,
- (c) an appeal (made by virtue of regulations made under section 57(1) of that Act) against a decision as to recovery of costs in relation to a flood plan,
- (d) an appeal (under section 76 of that Act) against a decision as to recovery of costs under section 69, 71, 73 or 75 of that Act,
- (e) an appeal (made by virtue of regulations under section 77(1) of that Act) against any of the following—
 - (i) a decision to serve a stop notice,
 - (ii) a decision not to give a completion certificate,

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- (iii) a decision not to award compensation or as to the amount of compensation,
- (iv) a decision as to recovery of costs in relation to the serving of the stop notice,
- (f) an appeal (made by virtue of regulations under section 81(1) of that Act) against any of the following—
 - (i) a decision in a review of refusal to give certification that an enforcement undertaking has been complied with,
 - (ii) a decision as to recovery of costs in relation to the acceptance of the undertaking,
- (g) an appeal (made by virtue of regulations under section 83(1) of that Act) against a decision to impose a fixed monetary penalty,
- (h) an appeal (made by virtue of regulations under section 86(1) of that Act) against any of the following—
 - (i) a decision to impose a variable monetary penalty,
 - (ii) a decision as to recovery of costs in relation to the imposition of the penalty,
- (i) an appeal (made by virtue of regulations under that section) against a notice imposing a non-compliance penalty for failure to comply with an undertaking referred to in section 87(5) of that Act.”.

3 Article 297 (regulations by the Department for Regional Development as to safety of reservoirs) is omitted.

4 In Article 300 (regulations), in paragraph (1)(b), the words “or 297” are omitted.

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