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STATUTORY INSTRUMENTS

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**1995 No. 3210**

**The Street Works (Northern Ireland) Order 1995**

**Charges, fees and contributions payable by undertakers**

**Inspection of fees**

**35.**—(1) An undertaker executing street works shall, subject to the provisions of any scheme under this Article, pay to the street authority the prescribed fee in respect of each inspection of the works carried out by the authority.

(2) The Department may by regulations make a scheme under which undertakers pay the prescribed fee only in respect of such proportion or number of excavations or other works as may be determined in accordance with the scheme.

(3) The scheme may make provision—

- (a) as to the periods and areas by reference to which the proportion or number is to be determined, and
- (b) as to the intervals at which an account is to be struck between an undertaker and the street authority and any necessary payment or repayment made.

(4) Nothing in this Article applies in relation to inspections in respect of which the undertaker is obliged to bear the cost under Article 32(2) (inspection consequent on his failure to comply with his duties as to reinstatement).

**Changes to legislation:**

The Street Works (Northern Ireland) Order 1995, Section 35 is up to date with all changes known to be in force on or before 25 May 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

**Changes and effects yet to be applied to :**

- art. 35 substituted by [S.I. 2007/287 \(N.I.\) art. 20](#)

**Changes and effects yet to be applied to the whole Order associated Parts and Chapters:**

Whole provisions yet to be inserted into this Order (including any effects on those provisions):

- art. 13(1)(b) and word inserted by [S.I. 2007/287 \(N.I.\) art. 4\(2\)\(b\)](#)
- art. 14(3A)(3B) inserted by [S.I. 2007/287 \(N.I.\) art. 6\(1\)\(b\)](#)
- art. 15(8)(9) inserted by [S.I. 2007/287 \(N.I.\) art. 6\(2\)](#)
- art. 16(1A) inserted by [S.I. 2007/287 \(N.I.\) art. 7\(3\)](#)
- art. 16(3A) inserted by [S.I. 2007/287 \(N.I.\) art. 7\(4\)](#)
- art. 18(3)(f) and word inserted by [S.I. 2007/287 \(N.I.\) art. 9\(4\)](#)
- art. 18(7A) inserted by [S.I. 2007/287 \(N.I.\) art. 9\(8\)](#)
- art. 19(7) inserted by [S.I. 2007/287 \(N.I.\) art. 11\(4\)](#)
- art. 27(1A) inserted by [S.I. 2007/287 \(N.I.\) art. 12\(2\)](#)
- art. 27(2A)-(2C) inserted by [S.I. 2007/287 \(N.I.\) art. 12\(3\)](#)
- art. 27(4)(c) and word inserted by [S.I. 2007/287 \(N.I.\) art. 12\(5\)](#)
- art. 30(1A) inserted by [S.I. 2007/287 \(N.I.\) art. 13\(2\)](#)
- art. 30(3)-(4B) substituted for art. 30(3)(4) by [S.I. 2007/287 \(N.I.\) art. 13\(3\)](#)
- art. 32(2A)(2B) inserted by [S.I. 2007/287 \(N.I.\) art. 14](#)
- art. 32(3A) inserted by [S.I. 2007/287 \(N.I.\) art. 15\(1\)\(b\)](#)
- art. 34(2A) inserted by [S.I. 2007/287 \(N.I.\) art. 18\(2\)](#)
- art. 34(5A)(5B) inserted by [S.I. 2007/287 \(N.I.\) art. 18\(5\)](#)
- art. 34(7A) inserted by [S.I. 2007/287 \(N.I.\) art. 18\(7\)](#)
- art. 39(1A) inserted by [S.I. 2007/287 \(N.I.\) art. 22\(2\)](#)
- art. 39(2A) inserted by [S.I. 2007/287 \(N.I.\) art. 22\(3\)](#)
- art. 39(3A) inserted by [S.I. 2007/287 \(N.I.\) art. 22\(4\)](#)
- art. 40(1A) inserted by [S.I. 2007/287 \(N.I.\) art. 23\(3\)](#)
- art. 40(2)(2A) substituted for art. 40(2)(3) by [S.I. 2007/287 \(N.I.\) art. 23\(4\)](#)
- art. 40(5)(6) added by [S.I. 2007/287 \(N.I.\) art. 23\(6\)](#)
- art. 49(2A) inserted by [S.I. 2007/287 \(N.I.\) art. 15\(2\)\(b\)](#)
- art. 59(1A) inserted by [S.I. 2007/287 \(N.I.\) art. 28\(3\)](#)