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STATUTORY INSTRUMENTS

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**2002 No. 3153**

**The Environment (Northern Ireland) Order 2002**

**PART III**

**AIR QUALITY**

*General*

**Regulations and directions**

**26.**—(1) No regulations to which this paragraph applies shall be made unless a draft of the regulations has been laid before, and approved by a resolution of, the Assembly.

(2) Paragraph (1) applies to—

- (a) regulations under this Part containing any provision which creates an offence or increases a penalty for an existing offence
- (b) regulations under this Part containing any provision which amends or repeals any Northern Ireland legislation.

(3) Other regulations under this Part shall be subject to negative resolution.

(4) Any direction given under this Part shall be in writing and may be varied or revoked by subsequent directions.

(5) Paragraphs (6) and (7) apply to any direction given to any body or person under any provision of this Part being a direction to any extent so given for the purpose of implementing any [<sup>F1</sup>]<sup>F2</sup>assimilated] obligations].

(6) A direction to which this paragraph applies shall not be varied or revoked unless, notwithstanding the variation or revocation, the obligations mentioned in paragraph (5), as they have effect for the time being, continue to be implemented, whether by directions or any other instrument or by any statutory provision.

(7) Any variation or revocation of a direction to which this paragraph applies shall be published in such manner as the Department considers appropriate for the purpose of bringing the matters to which it relates to the attention of persons likely to be affected by them; and—

- (a) copies of the variation or revocation shall be made available to the public; and
- (b) notice of the variation or revocation, and of where a copy of the variation or revocation may be obtained, shall be given in the Belfast Gazette.

<p><b>F1</b> Words in art. 26(5) substituted (31.12.2020) by <a href="#">The Environment (Miscellaneous Amendments) (Northern Ireland) (EU Exit) Regulations 2019</a> (S.I. 2019/584), regs. 1, <b>24</b>; 2020 c. 1, Sch. 5 para. 1(1)</p> <p><b>F2</b> Word in art. 26(5) substituted (1.1.2024) by <a href="#">The Retained EU Law (Revocation and Reform) Act 2023 (Consequential Amendment) Regulations 2023</a> (S.I. 2023/1424), reg. 1(2), <b>Sch. para. 49(2)(e)</b></p>
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**Changes to legislation:**

There are currently no known outstanding effects for the The Environment (Northern Ireland) Order 2002, Section 26.