
STATUTORY RULES OF NORTHERN IRELAND

1996 No. 369

**EUROPEAN COMMUNITIES HARBOURS,
DOCKS, ETC.,**

**The Harbour Works (Assessment of Environmental
Effects) (Amendment) Regulations (Northern Ireland) 1996**

Made - - - - 5th August 1996

Coming into operation 9th September 1996

The Department of the Environment, and the Department of Agriculture, being Departments designated(1) for the purposes of section 2(2) of the European Communities Act 1972(2) in relation to measures relating to the requirement for an assessment of the impact on the environment of projects likely to have significant effects on the environment, in exercise of the powers conferred by that section and of every other power enabling them in that behalf, hereby make the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Harbour Works (Assessment of Environmental Effects) (Amendment) Regulations (Northern Ireland) 1996 and shall come into operation on 9th September 1996.

Interpretation

2. The Interpretation Act (Northern Ireland) 1954(3) shall apply to these Regulations as it applies to a measure of the Northern Ireland Assembly.

Amendment of the Harbour Works (Assessment of Environmental Effects) Regulations (Northern Ireland) 1990

3. The Harbour Works (Assessment of Environmental Effects) Regulations (Northern Ireland) 1990(4) shall be amended as follows—

(1) In regulation 4(4)—

(1) S.I. 1988/785
(2) 1972 c. 68
(3) 1954 c. 33 (N.I.)
(4) S.R. 1990 No. 181

- (a) for the words “If the appropriate Department decides” there shall be substituted “Where it appears to the appropriate Department”; and
 - (b) for the words “of its decision forthwith” there shall be substituted “accordingly”.
- (2) In regulation 5(1)—
- (a) there shall be substituted from the beginning to “characteristics” the following—
 - “Where it appears to the appropriate Department that the proposed harbour works constitute a project falling within Annex I to the Directive, or a project falling within Annex II to the Directive, the characteristics of which”;
 - (b) for the words “of its decision forthwith” there shall be substituted “accordingly”; and
 - (c) the words “that it considers” shall be omitted.
- (3) In regulation 7 after paragraph (3) there shall be inserted the following—
- “(4) Paragraphs 3 to 8 of Schedule 8 to the Health and Personal Social Services (Northern Ireland) Order 1972(5) (which relate to the giving of evidence at, and the expenses incurred in relation to inquiries) shall apply to an inquiry held under paragraph (3) as they apply in relation to an inquiry under that Schedule.”.
- (4) In regulation 8(4)(b)—
- (a) head (ii) shall be renumbered (iii); and
 - (b) after head (i) there shall be inserted the following—
 - “(ii) stating that the information provided in accordance with paragraph (2) has been taken into consideration, and”.

Sealed with the Official Seal of the Department of the Environment on 5th August 1996.

L.S.

Trevor Pearson
Assistant Secretary

Sealed with the Official Seal of the Department of Agriculture on 5th August 1996.

L.S.

Gerald Lavery
Assistant Secretary

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations make minor amendments to the Harbour Works (Assessment of Environmental Effects) Regulations (Northern Ireland) 1990 (“the 1990 Regulations”) which implemented, in respect of harbour works, Council Directive [85/337/EEC](#) of the 27th June 1985 (O.J. No. L175, 5.7.85, p. 40), on the assessment of the effects of certain public and private projects on the environment.

The amendments align the law of Northern Ireland more exactly with the Directive, and make provision for costs of inquiries held under the 1990 Regulations.

Copies of the EEC Directive referred to in this Note can be obtained from Her Majesty’s Stationery Office, 16 Arthur Street, Belfast.