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STATUTORY RULES OF NORTHERN IRELAND

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**2006 No. 482**

**Water Abstraction and Impoundment  
(Licensing) Regulations (Northern Ireland) 2006**

**PART 5**

**Enforcement and other powers**

**Enforcement notices – rights of entry, compensation etc**

**22.**—(1) A notice under regulation 20(2) may require the person on whom it is served to carry out works or do other things in relation to any land notwithstanding that he is not entitled to carry out the works or do the things and any person whose consent would be required shall grant, or join in granting, such rights in relation to land as will enable the person on whom the notice is served to comply with any requirement imposed on him by that notice.

(2) Where paragraph (1) applies, the Department shall, before serving a notice under regulation 20(2), reasonably endeavour to consult such persons as appear to it to be—

- (a) the owner or occupier of any land which will be affected by the notice; and
- (b) any person who might be required under paragraph (1) to grant or join in granting any rights,

in respect of the rights which that owner, occupier, or person, may be required to grant.

(3) A notice under regulation 20(2) shall not be regarded as invalid or invalidly served by reason only of a failure to comply with paragraph (2).

(4) A person who grants, or joins in granting, any rights in accordance with paragraph (1) shall be entitled to compensation under this paragraph; and Schedule 2 shall have effect with respect to the making of applications for such compensation and with respect to the manner in which such applications shall be assessed and determined.

(5) Subject to paragraph (6), compensation payable under paragraph (4) shall be paid by the person on whom notice under regulation 20(2) was served or would have been served but for regulation 21(1).

(6) Where the person by whom compensation is payable under paragraph (5)—

- (a) cannot be found; or
- (b) has failed to make payment,

compensation under this regulation shall be payable by the Department; and the Department shall be entitled to recover any payment of compensation made by it under this paragraph from that person .