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STATUTORY INSTRUMENTS

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**1973 No. 70**

**Water and Sewerage Services (Northern  
Ireland) Order 1973 (REPEALED)**

**PART VIII**

**GENERAL**

*MISCELLANEOUS*

**Regulations as to water and sewerage services**

**40** <sup>F1</sup>.—(1) The Ministry may make regulations with respect to the proper provision and maintenance of water and sewerage services under this Order.

(2) Without prejudice to the generality of paragraph (1), regulations made under that paragraph may include provisions for—

- (a) the prevention of waste or of the misuse or contamination of water supplied by the Ministry;
- (b) the provision of adequate drains, sewers, sewage disposal facilities, service pipes and water fittings for any premises;
- (c) the protection against pollution of any water, whether on the surface or underground, belonging to the Ministry or which the Ministry is authorised to take.

(3) Where any instrument which is in force on 30th September 1973 made under a transferred provision relates to a matter with respect to which regulations may be made under paragraph (1), the instrument shall, until it is revoked under paragraph (1), have effect, with any necessary modifications, as if it had been made under paragraph (1).

<b>F1</b> functions transf. by SR 1999/481
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**Offences of contaminating, wasting and misusing water, etc.**

**40A** <sup>F2</sup>.—(1) If any person who is the owner or occupier of any premises to which a supply of water is provided by the Department intentionally or negligently causes or suffers any water fittings for which he is responsible to be or remain so out of order, so in need of repair or so constructed or adapted, or to be so used—

- (a) that water in a main or other pipe of the Department or in a pipe connected with such a main or pipe is or is likely to be contaminated by the return of any substance from those premises to that main or pipe;
- (b) that water that has been supplied by the Department to those premises is or is likely to be contaminated before it is used; or

*Status: Point in time view as at 01/01/2006.*

*Changes to legislation: There are currently no known outstanding effects for the Water and Sewerage Services (Northern Ireland) Order 1973 (REPEALED), PART VIII. (See end of Document for details)*

- (c) that water so supplied is or is likely to be wasted or, having regard to the purposes for which it is supplied, misused,

that person shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.

(2) Any person who uses any water supplied to any premises by the Department for a purpose other than one for which it is supplied to those premises shall, unless the other purpose is the extinguishment of a fire, be guilty of an offence and shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.

(3) Where a person is convicted of an offence under paragraph (2) the Department may recover such amount as may be reasonable in respect of any water wasted or misused in consequence of the commission of the offence from that person summarily as a civil debt.

(4) For the purposes of this Article the owner or occupier of any premises shall be regarded as responsible for every water fitting serving those premises which is not a water fitting which the Department is liable to maintain.

(5) Where a person is convicted of an offence under paragraph (1)(a) or (b), the Department may recover from him the expenses reasonably incurred by it in carrying out works of repair or re-statement necessitated by his action.

(6) Nothing in this Article, in so far as it relates to the construction or installation of any water fitting, shall apply to any water fitting installed in any premises before the coming into operation of this Article.

**F2** functions transf. by SR 1999/481

### **Regulations for preventing contamination, waste, etc., and with respect to water fittings**

**40B**<sup>F3</sup>.—(1) Without prejudice to Article 40(1) and (2) (regulations as to water and sewerage services), the Department may make regulations—

- (a) for securing that water in a main or other pipe of the Department is not contaminated, and that its quality and suitability for particular purposes is not prejudiced, by the return of any substance from any premises to that main or pipe;
  - (b) for securing that water which is in any pipe connected with any such main or other pipe or which has been supplied by the Department to any premises is not contaminated, and that its quality and suitability for particular purposes is not prejudiced, before it is used;
  - (c) for securing that water fittings installed and used by persons to whom water is or is to be supplied by the Department are safe and do not cause or contribute to the erroneous measurement of any water or the reverberation of any pipes.
- (2) Without prejudice to the generality of paragraph (1), regulations under that paragraph may—
- (a) prohibit the installation, connection or use of the fittings if they have not been approved under the regulations or if they contravene the regulations;
  - (b) require the fittings, for the purposes of provision made by virtue of sub-paragraph (a), to be of such a size, nature, strength or workmanship, to be made of such materials or in such a manner or to conform to such standards as may be prescribed by or approved under the regulations;
  - (c) impose such other requirements as may be prescribed with respect to the installation, arrangement, connection, testing, disconnection, alteration and repair of the fittings and with respect to the materials used in their manufacture, installation or use;

- (d) make provision enabling the Department to disconnect a service pipe or otherwise cut off the supply of water to premises where the Department has reason for believing—
- (i) that damage to persons or property is being or is likely to be caused by any damage to, or defect in, any water fittings used in connection with the supply of water to those premises which are not water fittings of the Department;
  - (ii) that water in a main or other pipe of the Department is being or is likely to be contaminated by the return of any substance from those premises to that main or pipe;
  - (iii) that water which is in any pipe connected with any main or other pipe of the Department or which has been supplied by the Department to those premises is being or is likely to be contaminated before it is used; or
  - (iv) that water which has been or is to be so supplied is being or is likely to be wasted or, having regard to the purposes for which it is supplied, misused;

and with respect to the procedure for requiring owners or occupiers to carry out remedial work before a supply of water is restored by the Department, including provision for the Department to undertake such work and recover the costs from such owners or occupiers.

(3) In this Article safe has the same meaning as in Part II of the Consumer Protection Act 1987.

**F3** functions transf. by SR 1999/481

#### Alteration of or interference with Ministry's works

**41** <sup>F4</sup>.—<sup>F5</sup>(1) Any person who, wilfully and without the consent of the Ministry, alters or interferes with any works vested in the Ministry for the purposes of this Order shall be guilty of an offence and shall be liable<sup>F5</sup>

<sup>F5</sup>(a) on conviction on indictment to imprisonment for a term not exceeding five years or to a fine or to both<sup>F5</sup>; and]

<sup>F5</sup>(b) on summary conviction, to a fine not exceeding the statutory maximum.]

<sup>F5</sup>(2) Where a person is convicted of an offence under this Article, the Department may recover from him the expenses reasonably incurred by it in carrying out work of repair or re-instatement necessitated by his action.]

**F4** functions transf. by SR 1999/481

**F5** 1993 NI 16

#### Facilities for recreational use of certain land

**42** <sup>F6</sup>.—(1) The Ministry may provide facilities for recreation on any land vested in it for the purposes of this Order and may make charges for the use of those facilities.

(2) The Ministry may make regulations as to the use, for recreational purposes, of any such land or facilities on such land.

**F6** functions transf. by SR 1999/481

**Safety of reservoirs**

**43**<sup>F7</sup>.—(1) The Ministry may make regulations with respect to the construction, inspection, maintenance and repair of reservoirs and dams.

(2) Regulations under paragraph (1) shall be subject to affirmative resolution.

**F7** functions transf. by SR 1999/481

**Supply of water fittings**

**44**<sup>F8</sup>.—(1) The Ministry may—

- (a) on the request of any person, supply to him, by way either of sale or hire, any water fittings; and
- (b) on such request, install, repair or alter (but not manufacture) any water fittings, whether supplied by it or not; and
- (c) provide any materials and do any work required in connection with such installation, repair or alteration of water fittings.

(2) The Ministry—

- (a) may make reasonable charges for any fitting supplied, or any materials provided or work done, under this Article; and
- (b) may recover those charges summarily as civil debts.

(3) If any fittings let for hire by the Ministry bear either a distinguishing metal plate affixed thereto, or a distinguishing brand or other mark conspicuously impressed or made thereon, sufficiently indicating the Ministry as the actual owner of the fittings, those fittings—

- (a) shall, notwithstanding that they are fixed to some part of the premises in which they are situated or be laid in the soil thereunder, continue to be the property of, and removable by, the Ministry; and
- (b) shall not be liable to be taken under [<sup>F9</sup> the Judgments Enforcement (Northern Ireland) Order 1981 ] or in any proceedings in bankruptcy against the persons in whose possession they may be;

but nothing in this paragraph shall affect the valuation for rating of any rateable hereditament.

(4) If any person wilfully or negligently injures or suffers to be injured any water fitting belonging to the Ministry—

- (a) he shall be liable on summary conviction to a fine not exceeding<sup>F10</sup> level 3 on the standard scale]; and
- (b) the Ministry—
  - (i) may do all such work as is necessary for repairing any injury done; and
  - (ii) may recover the expenses reasonably incurred by it in doing so from the offender summarily as a civil debt.

**F8** functions transf. by SR 1999/481

**F9** 1981 NI 6

**F10** 1984 NI 3

## Obstruction

45. Any person who wilfully obstructs an authorised officer of the Ministry in the execution of any functions under this Order shall be guilty of an offence and liable on summary conviction to a fine not exceeding<sup>F11</sup> level 3 on the standard scale].

F11 1984 NI 3

## INFORMATION ETC.

### Information as to ownership etc. of premises

46<sup>F12</sup>.—(1) The Ministry may, for the purpose of enabling it to perform any of its functions under this Order, require the occupier or owner of any premises to state in writing—

- (a) the nature of his own estate therein; and
- (b) the name and address of any other person known to him as having an estate therein, whether as owner, tenant, or otherwise.

(2) Any person who, having been required by the Ministry to give information to it in pursuance of this Article, fails to give that information, or knowingly makes any misstatement in respect thereof, shall be guilty of an offence and liable on summary conviction to a fine not exceeding<sup>F13</sup> level 2 on the standard scale].

F12 functions transf. so far as relating to functions under f009

F13 1984 NI 3

### Production of plans and furnishing of information

47<sup>F14</sup>.—(1) [<sup>F15</sup>The Department may require] the owner or occupier of any land on or under which is situated any drain used or intended to be used for discharging any sewage into a sewer or sewage treatment works of the Ministry or pipe<sup>F15</sup> used or intended to be used] for connecting with any main<sup>F15</sup>. . .

- (a) [<sup>F15</sup>to] produce to the Ministry all such plans of the drain or pipe as the owner or occupier, as the case may be, possesses or is able without unreasonable expense to obtain, and allow copies of the plans so produced by him to be made by, or under the direction of, the Ministry, and
- (b) [<sup>F15</sup>to furnish in writing] to the Ministry all such information as the owner or occupier, as the case may be, can reasonably be expected to supply with respect to the drain and any sewage discharged therefrom or with respect to the pipe.

(2) A person who fails to comply with this Article shall be guilty of an offence and liable on summary conviction to a fine not exceeding<sup>F16</sup> level 2 on the standard scale].

F14 functions transf. by SR 1999/481

F15 1993 NI 16

F16 1984 NI 3

*Status: Point in time view as at 01/01/2006.*

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### Maps of sewers and mains

**48**<sup>F17</sup>.—(1) The Ministry shall cause to be prepared, for inspection and copying by any person at all reasonable hours free of charge, a map showing and distinguishing so far as is reasonably practicable all mains and sewers which are vested in the Ministry.

(2) Where some of the sewers vested in the Ministry are reserved for foul water only or for surface water only, the map shall show also the purposes which each such sewer is intended to serve.

**F17** functions transf. by SR 1999/481

### Research and publicity

**49**<sup>F18</sup>. The Ministry may—

- (a) undertake, or contribute towards the cost of, investigations and research relevant to the problems of water supplies, sewerage and sewage treatment; and
- (b) arrange for the publication of information on those problems.

**F18** functions transf. so far as relating to functions under f009

### Powers of entry

**50**<sup>F19</sup>.—(1) Subject to this Article, an authorised officer of the Ministry shall, on producing if so required some duly authenticated document showing his authority, have a right to enter any land or premises at all reasonable hours for the purpose of—

- (a) surveying land or boring or carrying out other works in order to ascertain the suitability of the land for the execution of works under this Order;
- (b) inspecting, repairing, altering, renewing or removing any works executed under this Order in or on the land;
- (c) ascertaining whether there is or has been on or in connection with the land or premises any contravention of this Order or of any conditions imposed under it;
- (d) ascertaining whether or not circumstances exist which would authorise the Ministry to take any action or execute any work under this Order;
- (e) taking any action or executing any work authorised or required by this Order to be taken or executed by the Ministry;
- (f) inspecting any records and other documents and apparatus which the Ministry may reasonably require to inspect for the purpose of exercising any of its functions under this Order;
- (g) taking away for analysis samples of sewage or any other matter or substance which is passing from the premises into the sewers or sewage treatment works of the Ministry;

<sup>F20</sup>(h) taking away for analysis samples of water].

(2) Admission to any land with heavy equipment shall not, except in a case of emergency, be demanded under paragraph (1) unless at least seven days' notice of the intended entry has been given to the occupier.

(3) A person carrying out an inspection of documents under paragraph (1)(f) shall have a right to take copies or extracts from the documents.

(4) Where notice of intended entry for a particular purpose has been given as respects the first occasion on which the right of entry is exercised, no further notice shall be required before entering the land or premises on a subsequent occasion in connection with that purpose.

(5) If it is shown to the satisfaction of a justice of the peace on a sworn information in writing—

- (a) that admission to land or premises which any person is entitled to enter by virtue of this Article has been refused to that person, or that refusal is apprehended, or that the land or premises are unoccupied, or the occupier is temporarily absent, or that the case is one of urgency, or that the application for admission would defeat the object of the entry, and
- (b) that there is reasonable ground for entry to the land or premises for any purpose for which entry is required,

the justice may by warrant under his hand authorise that person to enter the land or premises if need be by force.

(6) Any person entitled to enter any land or premises, by virtue of a right of entry or of a warrant issued under this Article—

- (a) may take with him such other persons and such equipment as may be necessary; and
- (b) on leaving any unoccupied land or premises which he has entered by virtue of such a warrant shall leave them as effectually secured against trespassers as he found them.

(7) Every warrant granted under this Article shall continue in force until the purpose for which the entry is necessary has been satisfied.

(8) A person who wilfully obstructs any person upon whom a right of entry has been conferred by this Article or by a warrant issued thereunder shall be guilty of an offence and liable on summary conviction to a fine not exceeding<sup>[F21]</sup> level 3 on the standard scale].

(9) Where work has been carried out on land in pursuance of this Article the Ministry shall, as soon as possible, reinstate the land.

(10) In determining whether an hour is a reasonable one for the purposes of paragraph (1), regard shall be had to whether there is an emergency or not.

**F19** functions transf. so far as relating to functions under f009  
**F20** 1978 NI 19  
**F21** 1984 NI 3

### Admissibility of samples as evidence

**51.**—(1) The result of any analysis of a sample taken under Article 50 <sup>[F22]</sup> (other than a sample taken under paragraph (1)(h) of that Article)] shall not be admissible as evidence in any legal proceedings in respect of any sewage, matter or substance discharged from any premises or of any water in, on or under any land unless the person taking the sample—

- (a) takes all reasonable steps to notify to the occupier of the premises or land his intention to have it analysed; and
- (b) there and then divides the sample into three parts and causes each part to be placed in a container which is sealed and marked; and
- (c) takes all reasonable steps to deliver one part to the occupier of the premises or land, retains one part for future comparison, and has one part analysed by a competent person.

(2) In this Article any reference to an analysis includes a reference to any test of whatever kind.

**F22** 1978 NI 19

*Status: Point in time view as at 01/01/2006.*

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### Restriction on disclosure of information

**52.** If any person who, under Article 50 is admitted to any factory, workshop or workplace discloses to any person any information obtained by him there with regard to any manufacturing process or trade secret, he shall, unless the disclosure is made in the performance of his duty, be guilty of an offence under this Article and liable on summary conviction to a fine not exceeding<sup>F23</sup> level 3 on the standard scale], or to imprisonment for a term not exceeding three months, or to both.

**F23** 1984 NI 3

## FINANCIAL

### Charges for services

**53**<sup>F24</sup>.—(1) The Ministry may charge the owners or occupiers of premises connected with a main or sewer of the Ministry such sums as it considers appropriate for the purpose of defraying the expenses of the Ministry under this Order and the<sup>F25</sup> Water (Northern Ireland) Order 1999].

(2) Without prejudice to the generality of paragraph (1), sums charged under that paragraph may be calculated by reference to—

- (a) the quantity of water consumed;
- (b) the cost of treating and disposing of any trade effluent discharged from the premises in question;
- (c) the net annual value of the premises.

(3) The Ministry, with the approval of the Ministry of Finance, may make such regulations as it considers necessary for the purpose of levying charges under paragraph (1).

(4) Regulations made under paragraph (3) shall be subject to affirmative resolution.

(5) Where a person fails to pay a sum recoverable under this Article, the Ministry may disconnect the premises owned or occupied by him from the mains or sewers of the Ministry.

**F24** functions transf. by SR 1999/481

**F25** 1999 NI 6

### Recovery of expenses

**54**<sup>F26</sup>. Where the Ministry has incurred expenses for the repayment of which the owner<sup>F27</sup> or occupier] of the premises in respect of which the expenses were incurred is liable under this Order, or by agreement with the Ministry, the Ministry may recover those expenses from him summarily as a civil debt.

**F26** functions transf. by SR 1999/481

**F27** 1993 NI 16

### Compensation etc. in respect of execution of works

**55**<sup>F28</sup>.—(1) In executing any works under this Order, the Ministry shall—

- (a) cause as little detriment and inconvenience and do as little damage as possible;



- (b) make good, or pay compensation for, any damage<sup>F29</sup> to the property of any person] caused by, or in consequence of, the execution of the works<sup>F29</sup> in relation to a matter as to which he has not himself been in default].

(2) Subsections (2) to (6) of section 38 of the Mineral Development Act (Northern Ireland) 1969 shall have effect for the purposes of any claim for compensation under this Article as if, in those subsections, any reference to that section, that Act or the Ministry of Commerce were a reference to, respectively, this Article, this Order or the Ministry.

**F28** functions transf. by SR 1999/481

**F29** 1993 NI 16

### Financial provision

**56.**—(1) Any expenses incurred by the Ministry under this Order shall be defrayed either out of moneys hereafter appropriated for the purposes of defraying such expenses or, if the Ministry of Finance so directs, by means of sums charged on and issued out of the Consolidated Fund.

(2) The Ministry of Finance may borrow moneys for the purpose of providing money for issues out of the Consolidated Fund under paragraph (1).

(3) Any moneys borrowed under paragraph (2) shall be repaid within any period or periods not exceeding twenty-five years from the date of borrowing, and provision for such payment may be made out of moneys thereafter appropriated for that purpose.

(4) The aggregate of the sums charged on and issued out of the Consolidated Fund under paragraph (1) in relation to expenses for capital purposes shall not, unless and until Parliament otherwise determines, exceed one hundred million pounds.

### Legal proceedings

**56A.**—(1) Notwithstanding anything in Article 19(1)(a) of the Magistrates' Courts (Northern Ireland) Order 1981, summary proceedings for an offence under Articles 17(6), 26A(2), 30(2), 34(3), 44(4), 46(2) and 52 or under regulations or orders made under this Order may be brought at any time within 6 months from the date on which evidence sufficient in the opinion of the Department to warrant the proceedings comes to the knowledge of the Department; but no such proceedings shall be brought by virtue of this Article more than 2 years after the commission of the offence.

(2) For the purposes of this Article a certificate signed on behalf of the Department and stating the date on which such evidence as aforesaid came to the knowledge of the Department shall be conclusive evidence of that fact; and a certificate stating that matter and purporting to be so signed by the secretary of, or other officer authorised by, the Department shall be deemed to be so signed unless the contrary is proved.

### Power to give effect to international obligations

**56B.**—(1) Regulations may make such modifications of the provisions of this Order<sup>F30</sup> . . . as are considered necessary or expedient for the purpose of enabling effect to be given—

- (a) to any Community obligations; or  
(b) to any international agreement to which the government of the United Kingdom is for the time being a party.

(2) In this Article regulations

- (a) in relation to any Community obligations, means regulations made by the Department; and

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(b) in relation to any international agreement, means regulations made by the Secretary of State.

(3) Regulations under this Article made by the Secretary of State shall be subject to annulment in pursuance of a resolution of either House of Parliament in like manner as a statutory instrument and section 5 of the Statutory Instruments Act 1946 shall apply accordingly.

(4) In this Article modifications includes additions, alterations and omissions.

**F30** 1999 NI 6

## SUPPLEMENTARY

### Regulations and orders

**57.**—(1) Unless the contrary is expressly provided, any regulations or orders made under this Order by the Ministry, other than a vesting order made under Article 10, shall be subject to negative resolution.

(2) Regulations or orders may provide that persons contravening the regulations or orders shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding an amount specified in the regulations or orders.

(3) The amount which may be specified in regulations or orders as mentioned in paragraph (2) shall not exceed £400.

### Civil liability of Department for escapes of water

**57A.**—(1) Where an escape of water onto agricultural land or forestry land, however caused, from a main or from a service pipe (within the meaning of paragraph (7)) causes loss or damage, the Department shall be liable, except as otherwise provided by this Article, for the loss or damage.

(2) The Department shall not incur any liability under paragraph (1) if the escape was due wholly to the fault of the person who suffered the loss or damage or of any servant, agent or contractor of his.

(3) The Department shall not incur any liability under paragraph (1) in respect of any loss or damage suffered by—

(a) any person authorised by any statutory provision to carry on any railway or road transport undertaking<sup>F31</sup> . . . ; or

(b) any person to whom the<sup>F32</sup> [electronic communications code] applies falling within section 10(1)(a) of the Telecommunications Act 1984 (persons authorised by licence to run<sup>F32</sup> an electronic communications network] ); or

<sup>F33</sup>(bb) any holder of a licence under Article 10(1) of the Electricity (Northern Ireland) Order 1992]

<sup>F31</sup>(bbb) any holder of a licence under Article 8(1) of the Gas (Northern Ireland) Order 1996.]

(c) the Post Office;

if the Department would not be liable for that loss or damage apart from paragraph (1).

(4) The Law Reform (Miscellaneous Provisions) Act (Northern Ireland) 1948,<sup>F34</sup> [the Limitation (Northern Ireland) Order 1989] and the Fatal Accidents (Northern Ireland) Order 1977 shall apply in relation to any loss or damage for which the Department is liable under this Article, but which is not due to the fault of the Department, as if it were due to the fault of the Department.

(5) Nothing in paragraph (1) affects any entitlement which the Department may have to recover contribution under the Civil Liability (Contribution) Act 1978; and for the purposes of that Act, any loss for which the Department is liable under that paragraph shall be treated as if it were damage.

(6) Where the Department is liable under any agreement or statutory provision made (in either case) before the commencement of the Water and Sewerage Services (Amendment) (Northern Ireland) Order 1985 to make a payment in respect of any loss or damage, the Department shall not incur any liability under paragraph (1) in respect of the same loss or damage.

(7) In this Article—

agricultural land means land used for agriculture for the purposes of a trade or business, and agriculture includes horticulture, fruit growing, seed growing, dairy farming and livestock breeding and keeping, the use of land as grazing land, meadow land, market gardens and nursery grounds, and the use of land for woodlands where that use is ancillary to the farming of land for other agricultural purposes;

damage includes the death of, or injury to, any person (including any disease and any impairment of physical or mental condition);

fault has the same meaning as in the Law Reform (Miscellaneous Provisions) Act (Northern Ireland) 1948;

forestry land means land used for forestry for the purposes of a trade or business, and forestry means the growing of woods and forests for the production of timber and other forest products and the growing of trees for planting in such woods and forests;

land does not include any house or other building;

service pipe means so much of a service pipe as is vested in the Department.

F31 1996 NI 2  
F32 2003 c. 21  
F33 1992 NI 1  
F34 1989 NI 11

### Protection for telegraph and telephone lines

**58**<sup>F35</sup>.—(1) The Ministry shall take all reasonable precautions in executing any works under this Order so as not injuriously to affect, whether by induction or otherwise, the working of any wire or line used for the purpose of[F<sup>F36</sup> electronic communications] or electrical control of railways or the currents in that wire or line.

(2) Any question arising under paragraph (1) as to whether the working of a wire or line is or is not injuriously affected shall, in default of agreement, be determined by arbitration.

(3) An arbitrator under paragraph (2) may direct the Ministry to make any alterations in, or additions to, its works, so as to comply with this Article.

(4) If the Ministry contravenes this Article, it shall make full compensation to the owner for any loss or damage incurred by him in consequence of the contravention.

F35 functions transf. by SR 1999/481  
F36 2003 c. 21

Art. 59 rep. by SLR 1980

Art. 60(1), with Schedule 3, effects amendments; paras. (2) (3), with Schedule 4, effect repeals

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**Status:** Point in time view as at 01/01/2006.

**Changes to legislation:** There are currently no known outstanding effects for the Water and Sewerage Services (Northern Ireland) Order 1973 (REPEALED), PART VIII. (See end of Document for details)

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## Savings

**61.** The administrative powers conferred by this Order on the Ministry shall not be taken to authorise any matter or thing to be done without the consent of the Secretary of State or the Board of Trade and if the case so requires of the Crown Estate Commissioners, where that consent is required to be obtained under section 9(2) of the Northern Ireland (Miscellaneous Provisions) Act 1932.

**Status:**

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