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STATUTORY INSTRUMENTS

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**1978 No. 1049**

**Pollution Control and Local Government  
(Northern Ireland) Order 1978**

**PART IV**

**POLLUTION OF THE ATMOSPHERE**

Information about atmospheric pollution

**Appeals against notices**

**59.**—(1) A person served with a notice under Article 58, or any other person having an interest in the premises to which the notices relates, may appeal to the Department—

- (a) on the ground that the giving to the council or the disclosure to the public of all or part of the information required by the notice would—
  - (i) prejudice to an unreasonable degree some private interest by disclosing information about a trade secret, or
  - (ii) be contrary to the public interest, or
- (b) on the ground that the information required by the notice is not immediately available and cannot readily be collected or obtained by the recipient of the notice without incurring undue expenditure for the purpose.

(2) If the Department allows the appeal it may direct the district council to withdraw or modify the notice, or to take such steps as may be specified by the Department to ensure that prejudicial information is not disclosed to the public; and the district council shall comply with the direction.

(3) Regulations may make provision as to appeals under this Article, including provision about the time for bringing an appeal and the circumstances in which all or any part of the appellant's case is to be withheld from the respondent; but the Department before making any regulations under this paragraph shall consult such persons appearing to the Department—

- (a) to represent district councils;
  - (b) to represent industrial interests; and
  - (c) to be conversant with problems of air pollution;
- as the Department considers appropriate.

**Changes to legislation:**

There are currently no known outstanding effects for the Pollution Control and Local Government (Northern Ireland) Order 1978, Section 59.