
STATUTORY INSTRUMENTS

1983 No. 150

The Quarries (Northern Ireland) Order 1983

Regulations of tips and fencing of quarries

Fencing of quarries

10.—(1) For the purposes of [^{F1}Part 7 of the Clean Neighbourhoods and Environment Act (Northern Ireland) 2011], a quarry (whether in course of being worked or not) shall be deemed to be a [^{F2}statutory nuisance] liable to be dealt with summarily in manner provided by [^{F3}that Part] if—

- (a) it is not provided with an efficient and properly maintained barrier so designed and constructed as to prevent any person from accidentally falling into the quarry, and
- (b) by reason of its accessibility from a highway or a place of public resort, it constitutes a danger to members of the public.

(2) Any expenses incurred, by reason of the operation of [^{F4}Part 7 of the Clean Neighbourhoods and Environment Act (Northern Ireland) 2011], by a person other than the owner or occupier (as defined for the purposes of this Order) of a quarry for the purpose of abating, or preventing the recurrence of, a [^{F5}statutory nuisance] under paragraph (1) or in reimbursing a district council in respect of the abatement, or prevention of the recurrence, of such a [^{F5}statutory nuisance] shall, subject to any agreement to the contrary, be recoverable by that person from the owner or occupier (as so defined) of the quarry.

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| <p>F1 Words in art. 10(1) substituted (1.4.2012) by Clean Neighbourhoods and Environment Act (Northern Ireland) 2011 (c. 23), s. 78, Sch. 3 para. 11(a)(i); S.R. 2012/13, art. 2(2), Sch. 2</p> |
| <p>F2 Words in art. 10(1) substituted (1.4.2012) by Clean Neighbourhoods and Environment Act (Northern Ireland) 2011 (c. 23), s. 78, Sch. 3 para. 11(a)(ii); S.R. 2012/13, art. 2(2), Sch. 2</p> |
| <p>F3 Words in art. 10(1) substituted (1.4.2012) by Clean Neighbourhoods and Environment Act (Northern Ireland) 2011 (c. 23), s. 78, Sch. 3 para. 11(a)(iii); S.R. 2012/13, art. 2(2), Sch. 2</p> |
| <p>F4 Words in art. 10(2) substituted (1.4.2012) by Clean Neighbourhoods and Environment Act (Northern Ireland) 2011 (c. 23), s. 78, Sch. 3 para. 11(b)(i); S.R. 2012/13, art. 2(2), Sch. 2</p> |
| <p>F5 Words in art. 10(2) substituted (1.4.2012) by Clean Neighbourhoods and Environment Act (Northern Ireland) 2011 (c. 23), s. 78, Sch. 3 para. 11(b)(ii); S.R. 2012/13, art. 2(2), Sch. 2</p> |

Changes to legislation:

There are currently no known outstanding effects for the The Quarries (Northern Ireland) Order 1983, Section 10.