
STATUTORY INSTRUMENTS

1995 No. 3210

The Street Works (Northern Ireland) Order 1995

Introduction and interpretation

General interpretation

2.—(1) The Interpretation Act (Northern Ireland) 1954^{F1} shall apply to Article 1 and the following provisions of this Order as it applies to a Measure of the Northern Ireland Assembly.

(2) In this Order—

“apparatus” includes any structure for the lodging therein of apparatus or for gaining access to apparatus;

“carriageway” and “footway” have the same meaning as in the Roads Order;

“the Department” means the Department of the Environment;

“in”, in a context of referring to works, apparatus or other property in a street or other place, includes a reference to works, apparatus or other property under, over, across, along or upon it;

“the planning appeals commission” means the planning appeals commission constituted under ^{F2}the Planning Act (Northern Ireland) 2011];

“prescribed” means prescribed by regulations made by the Department;

“railway” includes a light railway other than one in the nature of a tramway;

“reinstatement” includes making good;

“road” has the same meaning as in the Roads Order;

^{F3}“the Roads Order” means the Roads (Northern Ireland) Order 1993;

“statutory provision” has the meaning assigned to it by section 1(f) of the Interpretation Act (Northern Ireland) 1954;

“statutory right” means a right (whether expressed as a right, a power or otherwise) conferred by a statutory provision, other than a right exercisable by virtue of a street works licence;

“traffic” and “traffic sign” have the same meaning as in the ^{F4}Road Traffic Regulation (Northern Ireland) Order 1997];

“tramway” means a system, mainly or exclusively for the carriage of passengers, using vehicles guided, or powered by energy transmitted, by rails or other fixed apparatus installed exclusively or mainly in a street;

“working day” means a day other than a Saturday, Sunday or a public holiday.

(3) A right to execute works which extends both to a street and to other land is included in references in this Order to a right to execute works in a street in so far as it extends to the street.

(4) A right to execute works which extends to part of the street but not the whole is included in references in this Order to a right to execute works in a street; and in relation to such a right references in this Order to the street in which it is exercisable shall be construed as references to the part to which the right extends.

Changes to legislation: *The Street Works (Northern Ireland) Order 1995, Section 2 is up to date with all changes known to be in force on or before 27 August 2022. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

(5) For the purposes of this Order apparatus shall be regarded as affected by works if the effect of the works is to prevent or restrict access to the apparatus (for example, by laying other apparatus above or adjacent to it).

(6) Section 18 of the Chronically Sick and Disabled Persons (Northern Ireland) Act 1978^{F5} (power to define “disability” and other expressions) applies in relation to the provisions of this Order as to the provisions of that Act.

F1 [1954 c. 33 \(NI\)](#)

F2 Words in art. 2(2) substituted (13.2.2015 for specified purposes, 1.4.2015 in so far as not already in operation) by [Planning Act \(Northern Ireland\) 2011 \(c. 25\)](#), s. 254(1)(2), [Sch. 6 para. 74](#) (with s. 211); S.R. 2015/49, arts. 2, 3, Sch. 1 (with Sch. 2) (as amended (16.3.2016) by S.R. 2016/159, art. 2)

F3 [1993 NI 15](#)

F4 [1997 NI 2](#)

F5 [1978 c. 53](#)

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Changes and effects yet to be applied to the whole Order associated Parts and Chapters:

Whole provisions yet to be inserted into this Order (including any effects on those provisions):

- art. 13(1)(b) and word inserted by [S.I. 2007/287 \(N.I.\) art. 4\(2\)\(b\)](#)
- art. 14(3A)(3B) inserted by [S.I. 2007/287 \(N.I.\) art. 6\(1\)\(b\)](#)
- art. 15(8)(9) inserted by [S.I. 2007/287 \(N.I.\) art. 6\(2\)](#)
- art. 16(1A) inserted by [S.I. 2007/287 \(N.I.\) art. 7\(3\)](#)
- art. 16(3A) inserted by [S.I. 2007/287 \(N.I.\) art. 7\(4\)](#)
- art. 18(3)(f) and word inserted by [S.I. 2007/287 \(N.I.\) art. 9\(4\)](#)
- art. 18(7A) inserted by [S.I. 2007/287 \(N.I.\) art. 9\(8\)](#)
- art. 19(7) inserted by [S.I. 2007/287 \(N.I.\) art. 11\(4\)](#)
- art. 27(1A) inserted by [S.I. 2007/287 \(N.I.\) art. 12\(2\)](#)
- art. 27(2A)-(2C) inserted by [S.I. 2007/287 \(N.I.\) art. 12\(3\)](#)
- art. 27(4)(c) and word inserted by [S.I. 2007/287 \(N.I.\) art. 12\(5\)](#)
- art. 30(1A) inserted by [S.I. 2007/287 \(N.I.\) art. 13\(2\)](#)
- art. 30(3)-(4B) substituted for art. 30(3)(4) by [S.I. 2007/287 \(N.I.\) art. 13\(3\)](#)
- art. 32(2A)(2B) inserted by [S.I. 2007/287 \(N.I.\) art. 14](#)
- art. 32(3A) inserted by [S.I. 2007/287 \(N.I.\) art. 15\(1\)\(b\)](#)
- art. 34(2A) inserted by [S.I. 2007/287 \(N.I.\) art. 18\(2\)](#)
- art. 34(5A)(5B) inserted by [S.I. 2007/287 \(N.I.\) art. 18\(5\)](#)
- art. 34(7A) inserted by [S.I. 2007/287 \(N.I.\) art. 18\(7\)](#)
- art. 39(1A) inserted by [S.I. 2007/287 \(N.I.\) art. 22\(2\)](#)
- art. 39(2A) inserted by [S.I. 2007/287 \(N.I.\) art. 22\(3\)](#)
- art. 39(3A) inserted by [S.I. 2007/287 \(N.I.\) art. 22\(4\)](#)
- art. 40(1A) inserted by [S.I. 2007/287 \(N.I.\) art. 23\(3\)](#)
- art. 40(2)(2A) substituted for art. 40(2)(3) by [S.I. 2007/287 \(N.I.\) art. 23\(4\)](#)
- art. 40(5)(6) added by [S.I. 2007/287 \(N.I.\) art. 23\(6\)](#)
- art. 49(2A) inserted by [S.I. 2007/287 \(N.I.\) art. 15\(2\)\(b\)](#)
- art. 59(1A) inserted by [S.I. 2007/287 \(N.I.\) art. 28\(3\)](#)