

2004 No. 513

LOUGH NEAGH DRAINAGE

**Lough Neagh (Levels) Scheme (Confirmation) Order
(Northern Ireland) 2004**

Made - - - - - 16th December 2004

Coming into operation 31st January 2005

WHEREAS the Lough Neagh (Levels) Scheme 1955(a) (“the 1955 Scheme”) was confirmed by Order under section 3(1) and (2) of the Lough Neagh and Lower Bann Drainage and Navigation Act (Northern Ireland) 1955(b) (“the Act”):

AND WHEREAS the Department of Agriculture and Rural Development(c) (“the Department”) has in accordance with section 1(2) of the Act prepared the Scheme (“the 2004 Scheme”) set out in the Schedule to the following Order:

AND WHEREAS the 2004 Scheme further supplements and modifies the 1955 Scheme:

AND WHEREAS all the provisions of section 2 of the Act have been complied with in relation to the 2004 Scheme:

AND WHEREAS the Department has considered such observations as were sent to it with regard to the 2004 Scheme and does not consider it proper to hold an inquiry:

NOW THEREFORE the Department in exercise of the powers conferred by section 3(1) and (2) of the Act and now vested in it(d), hereby makes the following Order:

Citation

1. This Order may be cited as the Lough Neagh (Levels) Scheme (Confirmation) Order (Northern Ireland) 2004.

Confirmation of Scheme

2. The Department hereby confirms without modification the 2004 Scheme set out in the Schedule.

(a) Made on 26th July 1955 by the Ministry of Finance and brought into operation by and scheduled to the Lough Neagh (Levels) Scheme 1955 (Operative Date) Order (Northern Ireland) 1958, (S.R. & O (N.I.) 1958 No. 179 (p. 309)) and supplemented and modified by the Lough Neagh (Levels) Scheme 1995 brought into operation by and scheduled to the Lough Neagh (Levels) Scheme (Confirmation) Order (Northern Ireland) 1999, (S.R. 1999 No. 69)
(b) 1955 c. 15 (N.I.) as amended by 1970 c. 7 (N.I.)
(c) Formerly known as the Department of Agriculture. See S.I. 1999/283 (N.I. 1) Article 3(4)
(d) S.R. & O (N.I.) 1964 No. 205

Date of Operation of Scheme

3. The 2004 Scheme set out in the Schedule shall be put into operation on and from 31st January 2005.

Sealed with the Official Seal of the Department of Agriculture and Rural Development on 16th December 2004.

(L.S.)

J. R. Hagan

Senior Officer of the Department of Agriculture and Rural Development

SCHEDULE

LOUGH NEAGH (LEVELS) SCHEME 2004

1. This Scheme may be cited as the Lough Neagh (Levels) Scheme 2004.
2. The Lough Neagh (Levels) Scheme 1955(a) as supplemented and modified by the Lough Neagh (Levels) Scheme 1995(b) shall have effect with the substitution of the following for Article 5, that is to say:
 - “5. In this Scheme references to the level of the Lough shall be construed as references to the mean level of the Lough as recorded on the system maintained by the Department at Toome on the northern shore of the Lough and at Oxford Island on the southern shore.”.

Sealed with the Official Seal of the Department of Agriculture and Rural Development this 16th day of November 2004.

(L.S.)

J. R. Hagan
Senior Officer of the Department of Agriculture and Rural Development

(a) Made on 26th July 1955 by the Ministry of Finance and brought into operation by and scheduled to the Lough Neagh (Levels) Scheme 1955 (Operative Date) Order (Northern Ireland) 1958, (S.R. & O (N.I.) 1958 No. 179 (p. 309))

(b) Made on 10th November 1995 by the Department of Agriculture and brought into operation by and scheduled to the Lough Neagh (Levels) Scheme (Confirmation) Order (Northern Ireland) 1999, (S.R. 1999 No. 69)

EXPLANATORY NOTE

(This note is not part of the Order.)

This Order confirms and brings into operation on 31st January 2005 the Lough Neagh (Levels) Scheme 2004 (“the 2004 Scheme”) which supplements and modifies the Lough Neagh (Levels) Scheme 1955 (“the 1955 Scheme”) (scheduled to the Lough Neagh (Levels) Scheme 1955 (Operative Date) Order (Northern Ireland) 1958) as supplemented and modified by the Lough Neagh (Levels) Scheme 1995, (scheduled to the Lough Neagh (Levels) Scheme (Confirmation) Order (Northern Ireland) 1999). The 2004 Scheme substitutes a new Article for Article 5 of the 1955 Scheme so that the mean level of the Lough shall now be the mean level as recorded on the systems maintained by the Department at Toome and Oxford Island on the northern and southern shores respectively of the Lough. The reference to Derryadd on the southern shore shall no longer apply.

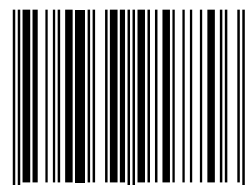
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