
STATUTORY RULES OF NORTHERN IRELAND

2006 No. 482

**Water Abstraction and Impoundment
(Licensing) Regulations (Northern Ireland) 2006**

PART 1

General

Citation and commencement

1. These Regulations may be cited as the Water Abstraction and Impoundment (Licensing) Regulations (Northern Ireland) 2006 and shall come into operation on 1st February 2007.

Interpretation

2. In these Regulations—

“authorisation” means an authorisation under regulation 5 or 10;

“controlled activity” means—

- (a) the abstraction of water from underground strata or waterways; and
- (b) the construction, alteration or operation of any impounding works;

“land” includes any works, plant or fixed machinery in, on or over land;

“licence” means an authorisation granted under regulation 10;

“operator” in relation to a controlled activity, means any person who carries on that activity;

“permitted controlled activity” has the meaning given in regulation 5;

“the Order” means the Water (Northern Ireland) Order 1999;

“the 1995 Regulations” means the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995(1);

“the register” means the register maintained by the Department under Article 30 of the Order;

“water environment” means—

- (a) any waterway,
 - (b) any water contained in underground strata,
 - (c) any underground strata themselves,
- or any flora or fauna dependent on any of them.

Exemptions

3.—(1) These Regulations shall not apply to a person who—

- (a) holds a licence under Article 10(1)(a) of the Electricity (NI) Order 1992(2) (licences to supply electricity etc); and
 - (b) is acting in accordance with an authorisation obtained from the Department under paragraph 2 of Schedule 5 to that Order (abstraction, diversion and use of water for hydro-electric generating stations).
- (2) Regulation 4 shall not apply—
- (a) to the doing of anything for—
 - (i) extinguishing fires;
 - (ii) protecting life and property in the event of fire; or
 - (iii) for the purpose of testing apparatus used for either of those purposes or for training or practice in the use of such apparatus; and
 - (b) to any abstraction by machinery or apparatus installed on a vessel, where the water is abstracted for use on that, or any other, vessel.

Prohibition

4.—(1) No person shall carry on, or cause or permit another to carry on, any controlled activity except insofar as it is—

- (a) authorised under these Regulations; and
- (b) carried on in accordance with that authorisation.