

EXPLANATORY MEMORANDUM TO
Groundwater (Amendment) Regulations (Northern Ireland) 2014

2014 No. 208

1. Introduction

- 1.1. This Explanatory Memorandum has been prepared by the Department of the Environment (The Department) to accompany the Statutory Rule (details above) which is laid before the Northern Ireland Assembly.
- 1.2. The Statutory Rule is made under section 2(2) of the European Communities Act 1972 and is subject to the negative resolution procedure.

2. Purpose

- 2.1. The purpose of the Rule is to make an amendment to Groundwater Regulations (Northern Ireland) 2009 in order to transpose in greater detail some of the key provisions of the Directive 2006/118/ EC on the protection of groundwater against pollution and deterioration (commonly known as the Groundwater Daughter Directive (GWDD)).

3. Background

- 3.1. The Principal Regulations were made on 2 July 2009 and came into operation on 10 August 2009. They transposed Directive 2006/118/EC on the protection of groundwater against pollution and deterioration (commonly known as the Groundwater Daughter Directive (GWDD)) into domestic legislation.

4. Consultation

- 4.1. A consultation on the Principal Regulations ran from 11 February 2009 to 6 May 2009. The overall response was positive and no serious concerns were expressed.
- 4.2. The amending Regulations transpose in greater detail some provisions of the GWDD. There is no impact from a policy or operational perspective and therefore a consultation is not required.
- 4.3. Provisions in Regulation 6 regarding classification of bodies of groundwater after a threshold value has been breached and also the values contained in Schedule of the amending Regulations have been previously consulted on as part of the River Basin Management Plans process under Provisions set by the Water Framework Directive. There is no impact from a policy or operational perspective and therefore a consultation is not required.

5. Equality Impact

- 5.1. A screening analysis of the Principal Regulations indicated there would be no impact in terms of the main groups relevant to the section 75 categories of the Northern Ireland Act 1998.

5.2. The amending Regulations transpose in greater detail some provisions of the GWDD. There is no change to policy therefore a new Equality Impact Assessment is not required.

6. Regulatory Impact

6.1. A Regulatory Impact Assessment was not necessary, because the amending Regulations do not cause a direct or indirect impact (whether benefit or cost) as they transpose in greater detail some provisions of the GWDD rather than imposing less or more provisions.

7. Financial Implications

7.1. Not applicable.

8. Section 24 of the Northern Ireland Act 1998

8.1. These Regulations are deemed to comply with the requirements of section 24 of the Northern Ireland Act 1998.

9. EU Implications

9.1. Not applicable.

10. Parity or Replicatory Measure

10.1. Not applicable

11. Additional Information

11.1. Not applicable.