
EXPLANATORY NOTE

(This note is not part of the Order)

These Regulations amend the Environmental Liability (Prevention and Remediation) Regulations (Northern Ireland) 2009 (the 2009 Regulations) which implemented Directive [2004/35/EC](#) of the European Parliament and of the Council on environmental liability with regard to the prevention and remedying of environmental damage (the Environmental Liability Directive).

They amend the 2009 Regulations to implement the changes to the Environmental Liability Directive introduced by Article 38 of Directive 2013/30/EU of the European Parliament and of the Council on the safety of offshore oil and gas operations and amending Directive [2004/56/EC](#). Article 38 of Directive 2013/30/EU extends the definition of ‘environmental damage’ to include damage to the environmental status of marine waters as defined in Directive [2008/56/EC](#) of the European Parliament and of the Council establishing a framework for community action in the field of marine environmental policy, such that that status is significantly adversely affected.