
STATUTORY RULES OF NORTHERN IRELAND

2015 No. 351

**The Water Framework Directive (Classification,
Priority Substances and Shellfish Waters)
Regulations (Northern Ireland) 2015**

Transboundary Pollution

24.—(1) If the Department is found to be in breach of its obligations under the Directive as a result of the exceedance of an environmental quality standard it shall be a defence for the Department if it can demonstrate that—

- (a) the exceedance was due to a source of pollution outside its jurisdiction;
- (b) it was unable as a result of such transboundary pollution to take effective measures to comply with the relevant environmental quality standard; and
- (c) it had applied the coordination mechanisms set out in Article 3 of the Water Framework Directive and, as appropriate, taken advantage of the provisions of Article 4(4), (5) and (6) of that Directive for those water bodies affected by transboundary pollution.

[^{F1}(2) The Department must record measures it has taken to address the issue of transboundary pollution in the relevant river basin management plan.]

F1 [Reg. 24\(2\) substituted \(31.12.2020\) by The Water \(Amendment\) \(Northern Ireland\) \(EU Exit\) Regulations 2019 \(S.I. 2019/112\), regs. 1\(1\), 11\(7\); 2020 c. 1, Sch. 5 para. 1\(1\)](#)

Changes to legislation:

There are currently no known outstanding effects for the The Water Framework Directive (Classification, Priority Substances and Shellfish Waters) Regulations (Northern Ireland) 2015, Section 24.