
STATUTORY RULES OF NORTHERN IRELAND

2015 No. 74

The Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 2015

PART 10

Miscellaneous

Revocation, saving and transitional provisions

45.—(1) The Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 2012⁽¹⁾ (the “2012 Regulations”) are revoked.

(2) Where by virtue of paragraph 2 of Schedule 2 to the Planning (2011 Act) (Commencement No. 3) and (Transitional Provisions) Order (Northern Ireland) 2015⁽²⁾ an application is to be treated

- (a) as if it had been made to the council under the 2011 Act;
- (b) as if it were an application to which section 26 applies; or
- (c) as if the Department had given a direction under section 29 that an application was to be referred to it,

then where that application is also an EIA application under the 2012 Regulations, anything done by or in relation to the Department in connection with any of its functions under the 2012 Regulations shall be treated as if it had been done by, to or in relation to the council or, as the case may be, the Department in connection with its functions under these Regulations.

(3) The Regulations specified in paragraph (4) which continued to apply by virtue of Regulation 40 of the 2012 Regulations (as that regulation had effect immediately before the coming into operation of these Regulations) in respect of the matters specified in paragraph 2(a) to (c) of that regulation shall continue to have effect in relation to those matters subject to the amendments specified in Schedule 5; and anything done by, to or in relation to the Department in connection with its functions under those Regulations shall be treated as if it had been done by, to or in relation to the council or, as the case may be, the Department in connection with its functions under those Regulations as amended by Schedule 5.

(4) The Regulations referred to in paragraph (3) are

- (a) the Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 1999⁽³⁾;
 - (b) the Planning (Electronic Communications) Order (Northern Ireland) 2006⁽⁴⁾;
 - (c) the Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 2008⁽⁵⁾;
- and

(1) S.R. 2012 No. 59
(2) S.R. 2015 No. 49 (C.5)
(3) S.R. 1999. No. 73
(4) S.R. 2006 No. 276
(5) S.R. 2008 No. 17

- (d) the Planning (Environmental Impact Assessment) (Amendment No. 2) Regulations (Northern Ireland) 2008⁽⁶⁾.
- (5) Nothing in this regulation shall affect the generality of section 29 of the Interpretation Act (Northern Ireland) 1954.

⁽⁶⁾ S.R. 2008 No. 372