
STATUTORY RULES OF NORTHERN IRELAND

2019 No. 209

The Waterways (Environmental Impact Assessment) Regulations (Northern Ireland) 2019

PART 1

INTRODUCTORY AND APPLICATION

Interpretation

2.—(1) In these Regulations—

“additional information” in any case where an environmental statement has been prepared in respect of proposed works means any information relating to the statement which is not contained in it;

“the Commission” means the Water Appeals Commission as described in Article 292 of the Water and Sewerage Services (Northern Ireland) Order 2006⁽¹⁾;

“consultation bodies” shall be construed in accordance with regulation 8(2);

“the Department” means the Department for Infrastructure;

“the Directive” means [Directive 2011/92/EU](#)⁽²⁾ of the European Parliament and of the Council on the assessment of the effects of certain public and private projects on the environment as amended by [Directive 2014/52/EU](#)⁽³⁾ of the European Parliament and of the Council;

“the Drainage Order” means the Drainage (Northern Ireland) Order 1973⁽⁴⁾;

“the Water Order” means the Water (Northern Ireland) Order 1999⁽⁵⁾;

“environmental statement” means a statement that includes such of the information referred to in Schedule 2, as is reasonably required to assess the environmental effects of any proposed works and which the Department can, having regard in particular to current knowledge and methods of assessment, reasonably be required to compile;

“general advertisement” means publication of a notice—

- (a) in the Belfast Gazette; and
- (b) on the website maintained by the Department;

“local advertisement” means a notice in one or more newspapers, circulating in the immediate locality of any proposed works;

“public” means one or more natural or legal persons and, in accordance with national legislation or practice, their associations, organisations or groups;

(1) [S.I. 2006 No. 3336 \(N.I. 21\)](#)
(2) [O.J. L 26, 28.1.2012, p. 1](#)
(3) [O.J. L 124, 25.4.2014, p. 1](#)
(4) [S.I. 1973 No. 69 \(N.I. 1\)](#)
(5) [S.I. 1999/662 \(N.I. 6\)](#)

“public concerned” means the public affected or likely to be affected by, or having an interest in, the environmental decision-making procedures of the Department. For the purposes of this definition, non-governmental organisations promoting environmental protection and meeting any requirements under national law shall be deemed to have an interest;

“waterway” has the same meaning assigned to it by the Water Order and any reference to a waterway includes a reference to the channel or bed of a waterway which is for the time being dry; and

“works” means—

- (a) works carried out in relation to a marina under Part III of the Water Order; and
- (b) any changes made to or extension of such works;

(2) In these Regulations, “canal scheme” has the same meaning assigned to it by Article 39(2) of the Water Order.

(3) In these Regulations, “the Drainage Council” has the same meaning assigned to it by Article 3(1) of the Drainage Order.

(4) In these Regulations, any reference to significant effects on the environment includes a reference to such effects on the environment in the Republic of Ireland.

(5) Expressions used in these Regulations and in the Directive have the same meaning for the purposes of these Regulations as they have for the purposes of the Directive, unless otherwise provided for.

(6) The Interpretation Act (Northern Ireland) 1954(6) shall apply to these Regulations as it applies to an Act of the Northern Ireland Assembly.