
DRAFT STATUTORY INSTRUMENTS

2007 No.

The Street Works (Amendment) (Northern Ireland) Order 2007

Registers and records

Duty to inspect records

5.—(1) After Article 13 of the 1995 Order (the street works register) there is inserted—

“Duty to inspect records

13A.—(1) The Department may make provision by regulations requiring an undertaker proposing to execute street works of a prescribed description to inspect prescribed statutory records before commencing the street works.

(2) The regulations may provide for the manner in which an inspection of any statutory records is to be carried out.

(3) The regulations may prescribe evidence which may be relied on by the undertaker to demonstrate that he has carried out an inspection required by the regulations.

(4) The regulations may in particular require the undertaker—

- (a) to be in possession of prescribed evidence before commencing the street works; and
- (b) to produce, in such manner as may be prescribed, prescribed evidence to the street authority either at the request of the authority or at or by such time as may be prescribed.

(5) The regulations may provide for the cases or circumstances in which a requirement under paragraph (1) or (4) does or does not apply.

(6) The regulations may create a summary offence, punishable with a fine not exceeding level 5 on the standard scale, in respect of any contravention by an undertaker of a requirement of the regulations.

(7) In this Article “statutory record” means any register or other record kept in pursuance of a requirement imposed by—

- (a) a statutory provision; or
- (b) a licence or other instrument having effect under or by virtue of a statutory provision.”.