

SCHEDULES

SCHEDULE 6

AMENDMENTS

PART 6

AMENDMENTS CONSEQUENTIAL ON MORE THAN ONE TRANSFER OF FUNCTIONS

Lough Neagh and Lower Bann Drainage and Navigation Act (Northern Ireland) 1955 (c. 15)

71. In section 14 (provision as to bridges and roads), in subsection (3), omit “, after consultation with the Ministry,”.

Water (Northern Ireland) Order 1999 (NI 6)

72.—(1) Amend Schedule 1 (discharge consents) as follows.

(2) In paragraph 2(6) omit head (c).

(3) In paragraph 3(5)—

(a) omit head (c);

(b) for “or, as the case may be, the Board” substitute “(in a case within head (b))”.

(4) In paragraph 4(2) omit head (b).

(5) In paragraph 5(5) omit head (b).

Environment (Northern Ireland) Order 2002 (NI 7)

73. In Article 48 (matters affecting agriculture, forestry and inland fisheries), omit paragraph (2).

Water and Sewerage Services (Northern Ireland) Order 2006 (NI 21)

74. In Article 2(2) (interpretation)—

(a) omit the definition of “DCAL”;

(b) at the appropriate place insert—

“ “DAERA” means the Department of Agriculture, Environment and Rural Affairs;”.

75.—(1) Amend Article 10 (codes of practice) as follows.

(2) In paragraph (3) for “the other relevant Northern Ireland departments” substitute “DAERA”.

(3) In paragraph (5) for sub-paragraph (a) substitute—

“(a) DAERA;”.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (4) Omit paragraph (6).
76. In Article 12(5) (general duties with respect to the water industry)—
- (a) omit sub-paragraph (a);
 - (b) for sub-paragraphs (b) and (c) substitute—
 - “(b) DAERA;
 - (c) the Department;”.
77. In Article 137(2) (power to make drought orders)—
- (a) in sub-paragraph (a) for “DOE” substitute “DAERA”;
 - (b) in sub-paragraph (b) for the words from “by” to the end substitute “by DAERA.”.
78. In Article 227(10) (consents for certain discharges) for “DARD, DOE and DCAL” substitute “DAERA and the Department”.
79. In Article 293(14) (procedure of the Appeals Commission), in the definition of “the relevant department”, for the words from “whichever” to the end substitute “the Northern Ireland department that has functions under, or in relation to, the statutory provision conferring jurisdiction on the Commission to make that decision.”.

Planning Act (Northern Ireland) 2011 (c. 25)

80. In section 176, at the end insert—
- “(5) In this section and in sections 177 and 178, “the Department” means—
 - (a) in relation to the enforcement of stop notices and enforcement notices, the Department for Infrastructure;
 - (b) in relation to the enforcement of listed building enforcement notices, the Department for Communities.”.
81. In section 236(4), for “Department of the Environment” substitute “Department for Communities or the Department for Infrastructure”.
82. In section 237(4), for “the Department” substitute “the relevant department”.
83. in section 239(5)—
- (a) in paragraph (a) after “Department” insert “for Communities, the Department for Infrastructure”;
 - (b) in paragraph (b) after “Department” insert “for Communities, the Department for Infrastructure”;
84. In section 240(1)—
- (a) for “or the Department”, in each place where it occurs, substitute “the Department for Infrastructure or the Department for Communities”;
 - (b) for “or, as the case may be, the Department” substitute “or the Department for Infrastructure or the Department for Communities, as the case may be”.
85. In section 242(2), for “the Department” substitute “the Department for Infrastructure or the Department for Communities”.
86. For section 243 substitute—

“Power to appoint advisory bodies or committees

243.—(1) The Minister for Infrastructure may appoint such advisory bodies or committees as the Minister considers necessary to assist the Department for Infrastructure in the exercise and performance of the functions conferred on that Department by this Act.

(2) The Minister for Communities may appoint such advisory bodies or committees as the Minister considers necessary to assist the Department for Communities in the exercise and performance of the functions conferred on that Department by this Act.”.

87. In section 250(1), for the definition of “Minister” substitute—

“ “Minister”, except where otherwise specified, means the Minister for Infrastructure;”.

88. In paragraph 1 of Schedule 5, for “Minister” substitute “Minister for Communities”.

Marine Act (Northern Ireland) 2013 (c. 10)

89. In section 3(4) (arrangements to promote co-ordination of functions in inshore region) omit paragraphs (a) and (b).

90. In section 4(11) (marine plans for inshore region) omit paragraphs (b) and (c).