

SCHEDULES

SCHEDULE 4

GRANT OF PERMITS

PART 3

NATIONAL SECURITY AND CONFIDENTIAL INFORMATION

26. The requirements of paragraph 7 shall not apply in so far as they would require the advertisement of information mentioned in paragraph 8 which is not to be included in the register by virtue of regulation 34 or 35.

27. The requirements of paragraph 12, other than paragraph 12(f), shall not apply in so far as they would require a person mentioned in any of those provisions to be given information which is not included in the register by virtue of regulation 34.

28. Subject to paragraph 29, the requirements of paragraph 12(1)(b)(ii), (iii) and (iv) and (c), shall not apply in so far as they would require a person mentioned in any of those provisions to be given information which is not included in the register by virtue of regulation 35.

29. Paragraph 28 shall not apply in relation to information which is not included in the register by virtue of regulation 35 in so far as—

- (a) in the case of the Department for Regional Development, the information is about the release of any substance into a sewer vested in the Department for Regional Development;
- (b) in the case of the Department of the Environment, the information is about the release of any substance which may affect a site of special scientific interest or a European site; or
- (c) in the case of a harbour authority, the information is about the release of any substance into a harbour managed by that person.

30. Where a matter falls to be determined under regulation 34 or 35—

- (a) the period within which an advertisement is to be published under paragraph 7 shall be 28 days beginning 14 days after the day on which the matters to be determined under those regulations are finally disposed of; and
- (b) the period for notification under paragraph 12(1) shall be the period of 14 days beginning 14 days after the day on which the matters to be determined under those regulations are finally disposed of.

31. For the purpose of paragraph 30, the matters to be determined under regulation 34 or 35 are finally disposed of—

- (a) in a case where the Secretary of State determines under regulation 34 whether or not information is to be included in the register, on the date on which the Secretary of State so determines;
- (b) in a case where the enforcing authority determines under regulation 35(2) or (5) that the information in question is commercially confidential, on the date of the enforcing authority's determination;

Draft Legislation: This is a draft item of legislation. This draft has since been made as a Northern Ireland Statutory Rule: The Pollution Prevention and Control (Industrial Emissions) Regulations (Northern Ireland) 2013 No. 160

- (c) in a case where the enforcing authority determines under regulation 35(2) or (5) that the information in question is not commercially confidential, on the date on which the period for bringing an appeal expires without an appeal being brought or, if such an appeal is brought within that period, on the date of the final determination of the appeal by the Planning Appeals Commission or the date on which the appeal is withdrawn.