

## SCHEDULES

### SCHEDULE 1 **N.I.**

#### PARTICULAR PURPOSES FOR WHICH PROVISION MAY BE MADE UNDER ARTICLE 4

### PART I **N.I.**

#### LIST OF PURPOSES

##### *Permits*

4. Prohibiting persons from operating any installation or plant of any specified description, or otherwise carrying on any activities of any specified description, except—

- (a) under a permit in force under the regulations, and
- (b) in accordance with any conditions to which the permit is subject.

5. Specifying restrictions or other requirements in connection with the grant of permits (including provisions for restricting the grant of permits to those who are fit and proper persons within the meaning of the regulations); and otherwise regulating the procedure to be followed in connection with the grant of permits.

6.—(1) Prescribing the contents of permits.

(2) Authorising permits to be granted subject to conditions imposed by enforcing authorities.

(3) Securing that permits have effect subject to—

- (a) conditions specified in the regulations; or
- (b) rules of general application specified in or made under the regulations.

7.—(1) Requiring permits or the conditions to which permits are subject to be reviewed by enforcing authorities (whether periodically or in any specified circumstances).

(2) Authorising or requiring the variation of permits or such conditions by enforcing authorities (whether on applications made by holders of permits or otherwise).

(3) Regulating the making of changes—

- (a) in the operation of the installations or plant to which permits relate, or
- (b) in the case of permits for the carrying on of activities otherwise than in the course of operating any installation or plant, in the carrying on of the activities.

8.—(1) Regulating the transfer or surrender of permits.

(2) Authorising the revocation of permits by enforcing authorities.

(3) Authorising the imposition by enforcing authorities of requirements with respect to the taking of preventive or remedial action (by holders of permits or other persons) in connection with the surrender or revocation of permits.

*Changes to legislation: There are currently no known outstanding effects for the The Environment (Northern Ireland) Order 2002, Cross Heading: Permits. (See end of Document for details)*

**9.** Authorising the Department to make schemes for the charging by enforcing authorities of fees or other charges in respect of, or in respect of an application for—

- (a) the grant of a permit,
- (b) the variation of a permit or the conditions to which it is subject, or
- (c) the transfer or surrender of a permit,

or in respect of the subsistence of a permit.

**F1**9A. ....

**F1** Sch. 1 para. 9A omitted (3.12.2012) by virtue of [The Greenhouse Gas Emissions Trading Scheme \(Amendment\) \(Charging Schemes\) Regulations 2012 \(S.I. 2012/2788\)](#), regs. 1, **10(1)**

**9B.**—(1) Without prejudice to paragraph 9, authorising the Department to make schemes for the charging by enforcing authorities of fees or other charges as a means of recovering costs incurred by them in performing functions conferred [<sup>F2</sup>under or by virtue of regulations made for the purpose of implementing [<sup>F3</sup>[<sup>F4</sup>assimilated] obligations]].

[<sup>F5</sup>(2) Without prejudice to paragraph 9, authorising the Department to make schemes for the charging by enforcing authorities of fees or other charges (“registry charges”) in respect of—

- (a) an application to open an account that, under the [<sup>F6</sup>Registries Regulation 2013], is required to be held in a trading scheme registry;
- (b) the subsistence of such an account;
- (c) the updating of information provided to the Environment Agency in relation to such an account.]

**F2** Words in Sch. 1 para. 9B(1) substituted (3.12.2012) by [The Greenhouse Gas Emissions Trading Scheme \(Amendment\) \(Charging Schemes\) Regulations 2012 \(S.I. 2012/2788\)](#), regs. 1, **10(2)(a)**  
**F3** Words in Sch. 1 para. 9B(1) substituted (31.12.2020) by [The Environment \(Miscellaneous Amendments\) \(Northern Ireland\) \(EU Exit\) Regulations 2019 \(S.I. 2019/584\)](#), regs. 1, **25(b)**; 2020 c. 1, Sch. 5 para. 1(1)  
**F4** Word in Sch. 1 para. 9B(1) substituted (1.1.2024) by [The Retained EU Law \(Revocation and Reform\) Act 2023 \(Consequential Amendment\) Regulations 2023 \(S.I. 2023/1424\)](#), reg. 1(2), **Sch. para. 49(2)(f)**  
**F5** Sch. 1 para. 9B(2) substituted (3.12.2012) by [The Greenhouse Gas Emissions Trading Scheme \(Amendment\) \(Charging Schemes\) Regulations 2012 \(S.I. 2012/2788\)](#), regs. 1, **10(2)(b)**  
**F6** Words in Sch. 1 para. 9B(2)(a) substituted (31.1.2014) by [The Greenhouse Gas Emissions Trading Scheme and National Emissions Inventory \(Amendment\) Regulations 2013 \(S.I. 2013/3135\)](#), regs. 1, **15**

[<sup>F7</sup>**9C.** Without prejudice to paragraph 9, authorising the Department to make schemes for the charging by enforcing authorities of fees or other charges as a means of recovering costs incurred by them in performing functions conferred by [<sup>F8</sup>[<sup>F9</sup>assimilated] obligations].]

**F7** Sch. 1 para. 9C inserted (1.1.2018) by [The Control of Mercury \(Enforcement\) Regulations 2017 \(S.I. 2017/1200\)](#), regs. 2(1), **50** (with reg. 1(2))  
**F8** Words in Sch. 1 para. 9C substituted (31.12.2020) by virtue of [The Environment \(Miscellaneous Amendments\) \(Northern Ireland\) \(EU Exit\) Regulations 2019 \(S.I. 2019/584\)](#), regs. 1, **25(c)**; 2020 c. 1, Sch. 5 para. 1(1)  
**F9** Word in Sch. 1 para. 9C substituted (1.1.2024) by [The Retained EU Law \(Revocation and Reform\) Act 2023 \(Consequential Amendment\) Regulations 2023 \(S.I. 2023/1424\)](#), reg. 1(2), **Sch. para. 49(2)(f)**

**10.** Authorising, or authorising the Department to make schemes for, the charging by the Department or public bodies of fees or other charges in respect of—

- (a) the testing or analysis of substances
- (b) the validating of, or of the results of, any testing or analysis of substances, or
- (c) assessing how the environment might be affected by the release into it of any substances,

in cases where the testing, analysis, validating or assessing is in any way in anticipation of, or otherwise in connection with, the making of applications for the grant of permits or is carried out in pursuance of conditions to which any permit is subject.

**Changes to legislation:**

There are currently no known outstanding effects for the The Environment (Northern Ireland) Order 2002, Cross Heading: Permits.