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STATUTORY INSTRUMENTS

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**2003 No. 430**

**The Planning (Amendment) (Northern Ireland) Order 2003**

*New enforcement powers*

**Injunctions**

5. After Article 76A of the principal Order (as inserted by Article 4 of this Order) there is inserted—

*“Injunctions*

**Injunctions**

**76B.**—(1) Where the Department considers it necessary or expedient for—

- (a) any actual or apprehended breach of planning control;
- (b) any actual or apprehended contravention of Articles 44(1) or (5), 66 or 66A; or
- (c) any actual or apprehended contravention of hazardous substances control,

to be restrained by injunction, it may apply to the court for an injunction, whether or not it has exercised or is proposing to exercise any of its other powers under this Part.

(2) On an application under paragraph (1) the court may grant such an injunction as the court thinks appropriate for the purpose of restraining the breach.

(3) Rules of court and county court rules may provide for such an injunction to be issued against a person whose identity is unknown.

(4) In this Article “the court” means the High Court or the county court.”.