
STATUTORY RULES OF NORTHERN IRELAND

2006 No. 34

**Drainage (Environmental Impact Assessment)
Regulations (Northern Ireland) 2006**

PART III

DRAINAGE SCHEMES

Drainage Order: Interpretation

17.—(1) In Article 2(2)—

- (a) for the definition of “another EEA State” there shall be substituted the following definitions—

““additional information” in any case where an environmental statement has been prepared in respect of a drainage scheme means any information relating to the statement which is not contained in it;

“another EEA State” means an EEA State other than the United Kingdom;”;

- (b) for the definition of “Commission” there shall be substituted the following definitions—

““the Commission” means the Water Appeals Commission established under Article 7 of the Water and Sewerage Services (Northern Ireland) Order 1973(1);”;

““consultation bodies” shall be construed in accordance with Article 12A(5);”;

- (c) for the definition of “the Directive” there shall be substituted the following definition—

““the Directive” means Council Directive [85/337/EEC\(2\)](#) on the assessment of the effects of certain public and private projects on the environment as amended by Council Directive [97/11/EC\(3\)](#) and Council Directive [2003/35/EC\(4\)](#);”;

- (d) for the definition of “EEA State” there shall be substituted the following definition—

““EEA State” means a State which is a Contracting Party to the Agreement on the European Economic Area signed at Oporto on 2nd May 1992 as adjusted by the Protocol signed in Brussels on 17th March 1993;”;

- (e) for the definitions of “environmental information” and “environmental statement” there shall be inserted the following definitions—

““environmental information” means information in an environmental statement and any additional information provided in accordance with this Order in relation to an application or referral for a determination under Article 12A(8) or Article 12H(5) in relation to the likely environmental effects of the scheme which is the subject of the application;”;

(1) S.I.1973/70 (N.I. 2)

(2) O.J. No. L175, 5.7.85

(3) O.J. No. L73, 14.3.97, p. 5

(4) O.J. No. L156, 25.6.2003, p. 17

- “environmental statement” means a statement that includes—
- (a) such of the information referred to in Part I of Schedule 2A as is reasonably required to assess the environmental effects of the drainage scheme and which the Department can, having regard in particular to current knowledge and methods of assessment, reasonably be required to compile; and
 - (b) at least the information referred to in Part II of Schedule 2A;” and
- (f) for the definition of “local newspaper” there shall be inserted the following definitions—
- “general advertisement” means publication of a notice—
- (a) in the Belfast Gazette; and
 - (b) on the website maintained by the Department;
- “local advertisement” means a notice in one or more newspapers circulating in the immediate locality of a proposed drainage scheme;”.
- (2) For Article 2(2A) where it appears twice there shall be substituted the following paragraphs—
- “(2A) In this Order, any reference to significant effects on the environment shall include a reference to such effects on the environment in another EEA State.
- (2B) Expressions used in this Order and in the Directive have the same meaning for the purposes of this Order as they have for the purposes of the Directive.”.