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STATUTORY RULES OF NORTHERN IRELAND

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**2006 No. 34**

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

**PART I**

**INTRODUCTORY AND APPLICATION**

**Application**

**3.—(1)** Subject to the following provisions and regulation 23, Part II shall apply in relation to any drainage works other than works—

- (a) commenced before the coming into operation of these Regulations;
- (b) carried out under a drainage scheme which was confirmed under Article 13 of the Drainage Order or treated by virtue of Article 8(1) or 9(1) of that Order as if it had been confirmed under Article 13 of that Order.

(2) Part II shall apply in relation to any marina works which were commenced after the coming into operation of these Regulations other than works carried out under a canal scheme.

(3) The amendments made to the Water Order by regulation 22 shall not have effect in relation to any canal scheme prepared before the coming into operation of these Regulations.

(4) The amendments made to the Drainage Order by regulations 16 to 21 shall not have effect in relation to any drainage scheme prepared before the coming into operation of these Regulations.

(5) Part II shall not apply in relation to any proposed drainage works or marina works which the Department directs are to be exempted from the said Part II.

(6) Part III shall not apply in relation to any proposed drainage scheme or canal scheme which the Department directs is to be exempted from the said Part III.

(7) The Department shall only make a direction under paragraph (5) or (6) in an exceptional case and where it does so, it shall—

- (a) consider whether in that case another form of assessment of the environmental effects of the proposed works or scheme in question would be appropriate;
- (b) make available to the public the information obtained under that other form of assessment, information relating to the making of the direction and the reasons for making it.

(8) No direction shall be made under paragraph (5) or (6) where the Department or any other Northern Ireland department is aware that the proposed works or scheme in question would be likely to have significant effects on the environment of another EEA State.

(9) Where the Department makes a direction under paragraph (5) or (6) it shall by general and local advertisement briefly describe the proposed works, explain the effects of the direction and give the reasons for making it.