

**2008 No. 278**

**AGRICULTURE, NORTHERN IRELAND**

**The Environmental Impact Assessment (Agriculture)  
(Amendment) Regulations (Northern Ireland) 2008**

*Made* - - - - 1st July 2008  
*Coming into operation* - 31st July 2008

The Department of Agriculture and Rural Development, being a Department designated<sup>(a)</sup> for the purposes of section 2(2) of the European Communities Act 1972<sup>(b)</sup> hereby makes the following Regulations:

**Citation, commencement and interpretation**

1.—(1) These Regulations may be cited as the Environmental Impact Assessment (Agriculture) (Amendment) Regulations (Northern Ireland) 2008, and shall come into operation on 31 July 2008.

(2) The Interpretation Act (Northern Ireland) 1954<sup>(c)</sup> shall apply to these Regulations as it applies to an Act of the Assembly.

**Amendment of the Environmental Impact Assessment (Agriculture) Regulations (Northern Ireland) 2007**

2. The Environmental Impact Assessment (Agriculture) Regulations (Northern Ireland) 2007<sup>(d)</sup> shall be amended as provided by regulations 3 to 5.

3. In regulation 2 (Interpretation)—

(a) in paragraph (1) after the definition of “EEA State” insert the following definition—

““the EIA Directive” means Council Directive 85/337/EEC<sup>(e)</sup> on the assessment of the effects of certain public and private projects on the environment as amended by Council Directive 97/11<sup>(f)</sup> and Council Directive 2003/35<sup>(g)</sup>.”

(b) after paragraph (4) add—

“(5) The Interpretation Act (Northern Ireland) 1954 shall apply to these Regulations as it applies to an Act of the Assembly.”

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(a) S.I. 2000/2812 and S.I. 2000/3238  
(b) 1972 c. 68  
(c) 1954 c.33 (N.I.)  
(d) S.R. 2007 No. 421  
(e) O.J. No. L175, 5.7.85, p.40  
(f) O.J. No. L73, 14.3.97, p.5-15  
(g) O.J. No. L156, 25.06.03, p.17-25

4. In regulation 24(4)(b) for the words “on appeal” substitute the words “(or on appeal the appointed person)”.

5. In regulation 30(8) for the words “such time as the Department revokes” substitute the words “such time as the appointed person revokes”.

Sealed with the Official Seal of the Department of Agriculture and Rural Development on 1 July 2008.



*John Speers*

A senior official of the Department of Agriculture and Rural Development

## **EXPLANATORY NOTE**

*(This note is not part of the Regulations)*

These Regulations amend the Environmental Impact Assessment (Agriculture) Regulations (Northern Ireland) 2007 to correct a number of errors in drafting. In particular, these Regulations:

- (a) define the “EIA Directive”;
- (b) attract the provisions of the Interpretation Act (Northern Ireland) 1954; and
- (c) clarify the role of the appointed person with regard to appeals against stop notices issued by the Department of Agriculture and Rural Development.

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