
EXPLANATORY NOTE

(This note is not part of the Order)

The Department is exercising the power conferred by sections 75(1) and 78 of the Clean Neighbourhoods and Environment Act (Northern Ireland) 2011 (“the 2011 Act”) for the first time. This Order brings the provisions of the 2011 Act listed in Schedule 1 into operation on 18th January 2012 and the provisions listed in Schedule 2 into operation on 1st April 2012.

Article 3 makes savings under which Article 4 (offence of permitting dogs to foul) of the Litter (Northern Ireland) Order 1994 continues to apply in respect of places that are “prescribed places” under the Dog Fouling (Prescription of Places) Regulations (Northern Ireland) 1995 before midnight on 31st March 2012.

Article 3 also provides that where any type of dog control order is made that applies to land already subject to Article 4 of the Litter (Northern Ireland) Order 1994 (“the 1994 Order”), that Article 4 of the 1994 Order ceases to have effect in respect of the land subject to the dog control order.

Article 4 contains transitional provisions requiring that a vehicle on a road, in respect of which a constable has affixed a notice under Article 48(4) of the Road Traffic Regulation (Northern Ireland) Order 1997 or on a public road in respect of which the Department for Regional Development has affixed a notice under Article 49(4) of that Order, in either case before midnight on 31st March 2012, continues to be dealt with in accordance with Articles 48, 49, 51 and 52 of that Order as those Articles applied before the coming into operation of sections 11, 12 and 13 of the 2011 Act.