
DRAFT STATUTORY INSTRUMENTS

1999 No.

Water (Northern Ireland) Order 1999

PART III

**POWERS OF DEPARTMENT OF AGRICULTURE
IN RELATION TO WATERWAYS**

Introductory

Matters to be taken into account in exercising certain functions

40.—(1) The Department shall, in exercising its functions under this Part, have regard to—

- (a) the conservation of water resources;
- (b) the prevention of pollution;
- (c) the needs of the community with respect to water and the disposal of effluent;
- (d) the conservation and enhancement of the natural beauty and amenity of waterways and of land associated with waterways;
- (e) the conservation and enhancement of flora and fauna;
- (f) the conservation of geological or physiographical features of special interest and any feature of archaeological, historical, architectural or traditional interest.

(2) The Department shall, in exercising its functions under any statutory provision relating to drainage, have regard to the matters set out in sub-paragraphs (a) to (f) of paragraph (1).

(3) In Article 11(2)(d) of, and paragraph 5(2) of Schedule 7 to, the Drainage Order for “section 2(2) of the Water Act (Northern Ireland) 1972” there shall be substituted “Article 40(2) of the Water (Northern Ireland) Order 1999”.