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*Changes to legislation: There are currently no known outstanding effects for the Environment Act 2021, Paragraph 24. (See end of Document for details)*

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## SCHEDULES

### SCHEDULE 3

#### THE OFFICE FOR ENVIRONMENTAL PROTECTION: NORTHERN IRELAND

#### PART 2

##### AMENDMENTS OF THE OEP'S GENERAL FUNCTIONS

24 After section 25 (guidance on the OEP's enforcement policy and functions) insert—

**“25A Guidance on the OEP's Northern Ireland enforcement policy and functions**

- (1) The Department of Agriculture, Environment and Rural Affairs in Northern Ireland may issue guidance to the OEP on the matters listed in section 23(6) (OEP's enforcement policy), so far as relating to the OEP's Northern Ireland enforcement functions.
- (2) The OEP must have regard to the guidance in—
  - (a) preparing its enforcement policy, so far as relating to its Northern Ireland enforcement functions, and
  - (b) exercising its Northern Ireland enforcement functions.
- (3) The OEP's “Northern Ireland enforcement functions” are its functions under paragraphs 6 to 15 of Schedule 3.
- (4) Before issuing the guidance, the Department must—
  - (a) prepare a draft, and
  - (b) lay the draft before the Northern Ireland Assembly.
- (5) If before the end of the 21 day period the Northern Ireland Assembly passes a resolution in respect of the draft guidance, the Department must produce a response and lay it before the Assembly.
- (6) The Department may prepare and lay before the Northern Ireland Assembly the final guidance, but not before—
  - (a) if subsection (5) applies, the day on which the Department lays the response required by that subsection, or
  - (b) otherwise, the end of the 21 day period.
- (7) The final guidance has effect when it is laid before the Northern Ireland Assembly.
- (8) The Department must publish the guidance when it comes into effect.

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- (9) The “21 day period” is the period of 21 sitting days beginning with the first sitting day after the day on which the draft guidance is laid under subsection (4).
- (10) “Sitting day” means a day on which the Northern Ireland Assembly sits.
- (11) The Department may revise the guidance at any time (and subsections (4) to (10) apply in relation to any revised guidance).”

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**Commencement Information**

- I1** Sch. 3 para. 24 not in force at Royal Assent, see **s. 147(6)(7)**
- I2** Sch. 3 para. 24 in force at 28.2.2022 by **S.R. 2022/54, art. 2(1)(a)**

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