



2011 CHAPTER 23

PART 8

MISCELLANEOUS AND SUPPLEMENTARY

*Supplementary*

**Regulations and orders**

75.—(1) Orders and regulations made by the Department under this Act may include such incidental, supplementary, consequential, transitory, transitional or saving provisions as the Department considers appropriate.

(2) Subject to subsections (3), (4) and (5), orders and regulations made by the Department under this Act shall be subject to negative resolution.

(3) An order under—

- (a) section 4(9),
- (b) section 27(5),
- (c) section 44(6), or
- (d) section 53(6),

shall not be made unless a draft of the order has been laid before and approved by a resolution of the Assembly.

(4) Regulations under section 40(4) and section 41(1) shall not be made unless a draft of the regulations has been laid before and approved by a resolution of the Assembly.

(5) Subsection (2) does not apply to an order under section 78 or an order under paragraph 5 of Schedule 2.

## **Interpretation**

**76.** In this Act—

“clerk of the council”, in relation to a district council, means the clerk appointed in accordance with section 41 of the Local Government Act (Northern Ireland) 1972 (c. 9);

“the Department” means the Department of the Environment;

“statutory provision” has the meaning given by section 1(f) of the Interpretation Act (Northern Ireland) 1954 (c. 33).

## **Minor and consequential amendments and repeals**

**77.—**(1) The statutory provisions set out in Schedule 3 have effect subject to the amendments specified in that Schedule.

(2) The statutory provisions set out in Schedule 4 are repealed to the extent specified in the second column of that Schedule.

(3) The Department may by order repeal or amend any provision of any local Act passed before this Act or of any order or other instrument made under a local Act so passed if it appears to it that the provision is inconsistent with, or has become unnecessary or requires alteration in consequence of, any provision of this Act or corresponds to any provision repealed by this Act.

## **Commencement**

**78.** The provisions of this Act, except for this section and sections 75, 76 and 79, come into operation on such day or days as the Department may by order appoint.

## **Short title**

**79.** This Act may be cited as the Clean Neighbourhoods and Environment Act (Northern Ireland) 2011.