
DRAFT STATUTORY RULES OF NORTHERN IRELAND

2013 No.

The Pollution Prevention and Control (Industrial Emissions) Regulations (Northern Ireland) 2013

PART 2

PERMITS

Fees and charges in relation to permits

25.—(1) There shall be charged by and paid to the enforcing authority such fees and charges as may be prescribed by a scheme under paragraph (2) (whether by being specified in or made calculable under the scheme).

(2) The Department may make, and from time to time revise, a scheme prescribing—

- (a) fees payable in respect of applications for permits;
- (b) fees payable in respect of, or of applications for, the variation, transfer and surrender of such permits;
- (c) charges payable in respect of the subsistence of such permits; and
- (d) fees and costs payable in connection with appeals under these Regulations.

(3) The Department shall, on making or revising a scheme under paragraph (2), lay a copy of the scheme or of the revisions made to the scheme or, if it considers it more appropriate, the scheme as revised, before the Assembly.

(4) The Department may make separate schemes for fees and charges payable to the chief inspector and fees and charges payable to district councils under these Regulations.

(5) A scheme under paragraph (2) may, in particular—

- (a) allow for reduced fees or charges to be payable in respect of permits granted to the same person;
- (b) provide for the times at which and the manner in which the payments required by the scheme are to be made (subject to the requirements in these Regulations as to the times at which payment is required); and
- (c) make such incidental, supplementary and transitional provisions as appears to the Department to be appropriate.

(6) The Department, in framing a scheme under paragraph (2), shall, so far as practicable, secure that the fees and charges payable under the scheme are sufficient, taking one year with another, to cover the expenditure incurred by—

- (a) the enforcing authorities in exercising their functions under these Regulations in relation to permits;
- (b) the Department in exercising its functions under regulation 15(1) or in preparing guidance in relation to the authorisation of installations and mobile plant covered by district council permits.

(7) A scheme under paragraph (2) may provide that, to the extent that the sums paid to a district council under the scheme relate to expenditure incurred by the Department as specified in paragraph (6)(b), those sums shall be paid by the district council to the Department.

(8) If it appears to the enforcing authority that the holder of a permit has failed to pay a charge due in consideration of the subsistence of the permit, it may revoke the permit under regulation 24.

(9) Any fees and charges received by the chief inspector under this regulation shall be paid into the Consolidated Fund.

(10) In this regulation, “district council permit” means a permit applying to installations or mobile plant in relation to which a district council exercises functions under these Regulations.