
STATUTORY INSTRUMENTS

1997 No. 2778

**The Waste and Contaminated Land
(Northern Ireland) Order 1997**

PART III

CONTAMINATED LAND

Registers

63.—(1) Every enforcing authority shall maintain a register containing prescribed particulars of or relating to—

- (a) remediation notices served by that authority;
- (b) appeals against any such remediation notices;
- (c) remediation statements or remediation declarations prepared and published under Article 56;
- (d) appeals against charging notices served by that authority;
- (e) notices under paragraph (1)(b)(i) or (5)(a) of Article 51 which have effect by virtue of paragraph (7) of that Article as the designation of any land as a special site;
- (f) notices under paragraph (3)(c) of Article 52 which have effect by virtue of paragraph (4) of that Article as the designation of any land as a special site;
- (g) notices given by or to the enforcing authority under Article 62(4) terminating the designation of any land as a special site;
- (h) notices given to that authority by persons—
 - (i) on whom a remediation notice has been served, or
 - (ii) who are or were required by virtue of Article 56(8)(a) to prepare and publish a remediation statement,
of what they claim has been done by them by way of remediation;
- (j) notices given to that authority by owners or occupiers of land—
 - (i) in respect of which a remediation notice has been served, or
 - (ii) in respect of which a remediation statement has been prepared and published,
of what they claim has been done on the land in question by way of remediation;
- (k) convictions for such offences under Article 59 as may be prescribed;
- (l) such other matters relating to contaminated land as may be prescribed;

but that duty is subject to Articles 64 and 65.

(2) The form of, and the descriptions of information to be contained in, notices for the purposes of paragraph (1)(h) or (j) may be prescribed.

(3) No entry made in a register under paragraph (1)(h) or (j) constitutes a representation by the body maintaining the register or, in a case where the entry is made under paragraph (6), the authority which sent the copy of the particulars in question under paragraph (4) or (5)—

- (a) that what is stated in the entry to have been done has in fact been done; or
- (b) as to the manner in which it has been done.

(4) Where any particulars are entered on a register maintained under this Article by the Department, the Department shall send a copy of those particulars to the district council in whose district is situated the land to which the particulars relate.

(5) In any case where—

- (a) any land is treated under Article 68(2) as situated in the district of a district council other than the district council in whose district it is in fact situated, and
- (b) any particulars relating to that land are entered on the register maintained under this Article by the district council in whose district the land is so treated as situated,

that council shall send a copy of those particulars to the district council in whose district the land is in fact situated.

(6) Where a district council receives a copy of any particulars sent to it under paragraph (4) or (5), it shall enter those particulars on the register maintained by it under this Article.

(7) Where information of any description is excluded by virtue of Article 65 from any register maintained under this Article, a statement shall be entered in the register indicating the existence of information of that description.

(8) Each enforcing authority shall—

- (a) secure that the registers maintained by it under this Article are available, at all reasonable times, for inspection by the public free of charge; and
- (b) afford to members of the public facilities for obtaining copies of entries, on payment of reasonable charges;

and, for the purposes of this paragraph, places may be prescribed at which any such registers or facilities as are mentioned in sub-paragraph (a) or (b) are to be available or afforded to the public under the sub-paragraph in question.

(9) Registers under this Article may be kept in any form.