

SCHEDULES

SCHEDULE 5

PROCEEDINGS ON APPLICATION FOR A DROUGHT ORDER

Objections to, and making of, drought order

2.—(1) If any objection is duly made with respect to an application for a drought order and is not withdrawn, then, subject to the provisions of this paragraph, the Department shall, before making the order, either—

- (a) cause a local inquiry to be held; or
- (b) afford an opportunity—
 - (i) to the objector; and
 - (ii) if the objector avails himself of the opportunity, to the applicant and to any other persons to whom it appears to the Department expedient to afford the opportunity, of appearing before and being heard by a person appointed by the Department for the purpose.

(2) Subject to sub-paragraph (3), where, on an application for a drought order, it appears to the Department that a drought order is required to be made urgently if it is to enable the deficiency of supplies of water to be effectively met, it may direct that the requirements of sub-paragraph (1) shall be dispensed with in relation to the application.

(3) Nothing in sub-paragraph (2) shall authorise the Department to fail to consider any objection to a proposed drought order which has been duly made and not withdrawn.

(4) Notwithstanding anything in sub-paragraph (1), the Department may—

- (a) require any person who has made an objection to a proposed drought order to state in writing the grounds of his objection; and
- (b) disregard the objection for the purposes of this paragraph if the Department is satisfied—
 - (i) that the objection relates exclusively to matters which can be dealt with on a reference under Schedule 6 or by any person by whom compensation is to be assessed; or
 - (ii) in a case where the order is one confined to the extension of a period specified in a previous order, that the objection is one that has in substance been made with respect to the application for that previous order.

(5) Subject to the requirements of this paragraph, the Department, on being satisfied that the proper notices have been published and served, may, if it thinks fit, make the order in respect of which the application is made with or without modifications.

(6) The Department may cause a local inquiry to be held on any application for a drought order notwithstanding that it is not required to do so by this paragraph.

Changes to legislation: *The Water and Sewerage Services (Northern Ireland) Order 2006, Objections to, and making of, drought order is up to date with all changes known to be in force on or before 14 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

Commencement Information

- II** [Sch. 5 para. 2](#) wholly in operation at 1.4.2007; [Sch. 5 para. 2](#) in operation at 1.1.2007 in so far as it confers power on a Northern Ireland department to make regulations or orders or makes provision with respect to the exercise of any such power, see [art. 1\(3\)\(e\)](#); [Sch. 5 para. 2](#) in operation at 1.4.2007 insofar as not already in operation by [S.R. 2007/194](#), [art. 2\(2\)](#), [Sch. 1 Pt. II](#) (subject to [art. 3](#), [Sch. 2](#))

Changes to legislation:

The Water and Sewerage Services (Northern Ireland) Order 2006, Objections to, and making of, drought order is up to date with all changes known to be in force on or before 14 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to the whole Order associated Parts and Chapters:

Whole provisions yet to be inserted into this Order (including any effects on those provisions):

- art. 293(10A) inserted by [2015 c. 8 \(N.I.\) Sch. 3 para. 2\(b\)](#)