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STATUTORY RULES OF NORTHERN IRELAND

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**1999 No. 27 (C. 3)**

**ROADS  
STREET WORKS**

**The Street Works (1995 Order) (Commencement  
No. 4) Order (Northern Ireland) 1999**

*Made - - - - 25th January 1999*

The Department of the Environment, in exercise of the powers conferred on it by Article 1(2) of the Street Works (Northern Ireland) Order 1995<sup>(1)</sup> and paragraph 2(1) of Schedule 1 to the Northern Ireland Act 1974<sup>(2)</sup> and of all other powers enabling it in that behalf, hereby makes the following Order:

**Citation and interpretation**

1.—(1) This Order may be cited as the Street Works (1995 Order) (Commencement No. 4) Order (Northern Ireland) 1999.

(2) In this Order “the Order” means the Street Works (Northern Ireland) Order 1995.

**Appointed day**

2. The day appointed for the coming into operation of the provisions of the Order specified in the Schedule shall be 1st February 1999.

Sealed with the Official Seal of the Department of the Environment on

L.S.

25th January 1999.

*J. Carlisle*  
Assistant Secretary

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(1) S.I.1995/3210 (N.I. 19)  
(2) 1974 c. 28

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

## SCHEDULE

Article 2

**Provisions of the Order for which 1st February 1999  
is appointed as the day of coming into operation**

<i>Provisions of the Order</i>	<i>Subject matter</i>
Article 28	Facilities to be afforded to street authority.
Article 32	Powers of street authority in relation to reinstatement.
Article 33	Reinstatement affected by subsequent works.
Article 49	Provisions as to reinstatement of sewers, drains or tunnels.
Article 56	Agreements inconsistent with the provisions of this Order.

**EXPLANATORY NOTE**

*(This note is not part of the Order.)*

This Order brings into operation on 1st February 1999 Articles 28, 32, 33, 49 and 56 of the Street Works (Northern Ireland) Order 1995 (“the Order”).

Article 28 requires undertakers executing street works to afford the street authority reasonable facilities to carry out its functions as to inspection etc. of works and makes it an offence to fail to afford such facilities.

Article 32 provides the necessary powers for the street authority to inspect undertakers' reinstatements, carry out certain investigatory works, require defects to be remedied by the undertaker, and in certain circumstances, to do remedial work itself and recover its costs from the undertaker.

Article 33 sets out the effects on the duty placed on undertakers by Article 31(2) of the Order where a reinstatement is affected by subsequent works.

Article 49 makes provision in certain circumstances for reinstatement by undertakers of sewers, drains or tunnels.

Article 56 provides that provisions of an agreement which are inconsistent with the provisions of the Order shall have no effect.

**NOTE AS TO EARLIER COMMENCEMENT ORDERS**

*(This note is not part of the Order.)*

The following provisions of the Street Works (Northern Ireland) Order 1995 have been brought into operation by earlier commencement orders as from the dates shown.

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.R. Number</i>
Articles 1 to 10	3rd June 1996	S.R. 1996 No. 223 (C. 10)
Article 13(4)	3rd June 1996	S.R. 1996 No. 223 (C. 10)
Article 16(2) and (4)	3rd June 1996	S.R. 1996 No. 223 (C. 10)
Article 18	3rd June 1996	S.R. 1996 No. 223 (C. 10)
Article 19(3)	3rd June 1996	S.R. 1996 No. 223 (C. 10)
Article 20(2)	3rd June 1996	S.R. 1996 No. 223 (C. 10)
Article 22	3rd June 1996	S.R. 1996 No. 223 (C. 10)
Article 25(1), (2), (4), (5) and (6)	13th April 1997	S.R. 1996 No. 223 (C. 11)
Article 25(3)	3rd June 1996	S.R. 1996 No. 223 (C. 10)
Articles 26 to 31	3rd June 1996	S.R. 1996 No. 223 (C. 10)
Articles 35 to 38	3rd June 1996	S.R. 1996 No. 223 (C. 10)
Article 41(3) and (4)	3rd June 1996	S.R. 1996 No. 223 (C. 10)
Article 43	1st June 1998	S.R. 1998 No. 196 (C. 7)
Article 44(1), (3), (4) and (5)	1st June 1998	S.R. 1998 No. 196 (C. 7)
Article 44(2)	3rd June 1996	S.R. 1996 No. 223 (C. 10)
Articles 45 and 46	3rd June 1996	S.R. 1996 No. 223 (C. 10)
Article 50	3rd June 1996	S.R. 1996 No. 223 (C. 10)
Articles 52 to 55	3rd June 1996	S.R. 1996 No. 223 (C. 10)
Articles 57 to 59	3rd June 1996	S.R. 1996 No. 223 (C. 10)
Paragraphs 2, 3, 9 and 33(a) of Schedule 3 and Article 60(1) so far as it relates to them.	3rd June 1996	S.R. 1996 No. 223 (C. 10)
Schedule 3 in respect of paragraph 33(b) and Article 60(1) so far as it relates to that paragraph	1st June 1998	S.R. 1998 No. 196 (C. 7)
Schedule 4 and Article 60(2) in so far as it is necessary to effect the repeal of paragraph 1(5) of Schedule 2 to the Telecommunications Act 1984	3rd June 1996	S.R. 1996 No. 223 (C. 10)