

**2003 No. 194**

**WATER AND SEWERAGE**

**The Surface Waters (Fishlife) (Classification) (Amendment)  
Regulations (Northern Ireland) 2003**

*Made* - - - - - *25th March 2003*

*Coming into operation* *17th April 2003*

The Department of the Environment, in exercise of the powers conferred on it by Article 5 of the Water (Northern Ireland) Order 1999(a) and of every other power enabling it in that behalf, hereby makes the following Regulations:

**Citation and commencement**

**1.** These Regulations may be cited as the Surface Waters (Fishlife) (Classification) (Amendment) Regulations (Northern Ireland) 2003 and shall come into operation on 17th April 2003.

**Amendment of the Surface Waters (Fishlife) (Classification) Regulations (Northern Ireland) 1997**

**2.** For regulation 7(5) of the Surface Waters (Fishlife) (Classification) Regulations (Northern Ireland) 1997(b) there shall be substituted –

“(5) Where the Department’s records show that the quality of any waters classified under these Regulations is appreciably higher for any parameter than the minimum required by these Regulations for waters of that class –

- (a) the Department may decide that the frequency of sampling may be reduced for that parameter; and
- (b) if there is no pollution or risk of deterioration in the quality of those waters, the Department may decide that no sampling for that parameter is necessary.”.

Sealed with the Official Seal of the Department of the Environment on 25th March 2003.

(L.S.)

*Judena Goldring*

A senior officer of the Department of the Environment

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(a) S.I. 1999/662 (N.I. 6)  
(b) S.R. 1997 No. 488

## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations amend the Surface Waters (Fishlife) (Classification) Regulations (Northern Ireland) 1997 (“the principal Regulations”).

Regulation 7 of the principal Regulations allows for the sampling of waters classified under those Regulations to be reduced in frequency or dispensed with in certain circumstances. Regulation 2 of these Regulations clarifies that regulation by setting out the circumstances in which sampling may be reduced or dispensed with. Should those circumstances change, the decision to reduce or discontinue sampling must be revisited.

These Regulations, together with the principal Regulations, transpose in part the requirements of Directive 78/659/EEC on the quality of fresh waters needing protection and improvement in order to support fish life in relation to Northern Ireland (O.J. No. L222, 14.08.78, p. 1). Copies of the Directive may be obtained from The Stationery Office Ltd., 16 Arthur Street, Belfast BT1 4GD.

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Stationery Office Limited  
under the authority and  
superintendence of Carol  
Tullo, Controller of  
Her Majesty’s Stationery  
Office being the Government  
Printer for Northern Ireland and  
the Officer appointed to print the  
Acts of the Northern Ireland Assembly

Dd. N894. C1. 4/03. Gp. 130. 14567.

£1.50

ISBN 0-337-95053-9



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