
STATUTORY RULES OF NORTHERN IRELAND

2005 No. 32

The Water Resources (Environmental Impact Assessment) Regulations (Northern Ireland) 2005

PART 4

PROHIBITION NOTICES

Prohibition notices

12.—(1) Where it appears to the Department –

- (a) that a person has begun a relevant project without a consent; and
- (b) that it is causing or is likely to cause significant harm to the environment,

the Department shall by notice served on that person prohibit the continuation of all or any part of that project.

(2) Where the Department serves a notice (in this regulation referred to as a “prohibition notice”) on a person under paragraph (1) the prohibition shall take effect immediately upon service of the notice or (if later) the date specified in the notice.

(3) The Department may at any time withdraw a prohibition notice (without prejudice to its power to serve another) by serving notice to that effect on those persons served with the prohibition notice.

(4) A prohibition notice shall cease to have effect if –

- (a) a notice of withdrawal is served in accordance with paragraph (3);
- (b) the Department (or the Commission) grants consent for the prohibited work; or
- (c) if the Department (or the Commission) decides that the prohibited work is not a relevant project.