

SCHEDULE 3

Regulation 24

Register

- 1.—(1) Subject to Articles 31 and 32 of the Order the register shall contain:
- (a) particulars of any application for a licence under regulation 8;
 - (b) particulars of any licence granted under regulation 10;
 - (c) particulars of any application for the modification of a licence under regulation 13(1)(b);
 - (d) particulars of any application for a transfer of a licence under regulation 14(2);
 - (e) particulars of any application for the surrender of a licence under regulation 15(3);
 - (f) particulars of any modification, transfer or surrender of a licence granted pursuant to the applications referred to in sub-paragraphs (c) to (e);
 - (g) particulars of any notices served under regulations 7, 13(4), 16(2), and 20(2);
 - (h) particulars of any advertisement published pursuant to regulation 9 and any representations made in response to the advertisement other than exempt representations;
 - (i) in the case of exempt representations, a statement by the Department that such representations have been made (but such statement shall not identify the person who made them);
 - (j) any notice of appeal received by the Department under regulation 29(3);
 - (k) any written notification of the determination by the Appeals Commission of an appeal and any report accompanying any such notification;
 - (l) information in relation to the carrying on of a controlled activity under a licence granted under regulation 10 which is—
 - (i) obtained by the Department in the exercise of its powers under Article 25 or 26 of the Order; or
 - (ii) furnished to the Department by virtue of a condition of the licence or a direction under Article 28 of the Order;
 - (m) in a case where any information referred to in sub-paragraph (l)(i) is omitted from the register by virtue of Article 31 or 32 of the Order, a statement by the Department, based on information obtained in any of the circumstances set out in that sub-paragraph, indicating whether or not the conditions of the licence to which that information relates, have been complied with;
 - (n) information (other than information registerable under sub-paragraph (l)(i)(ii)) furnished in compliance with a condition of a licence or a direction under Article 28 of the Order;
 - (o) particulars of any convictions for offences under these Regulations;
 - (p) particulars of any determination under regulation 4 of the Water Resources (Environmental Impact Assessment) Regulations (Northern Ireland) 2005⁽¹⁾;
 - (q) particulars of any environmental statement or further information furnished under regulation 6 of those Regulations.
- (2) In this paragraph “exempt representations” means representations—
- (a) made under regulation 9(4); and
 - (b) which have been excluded from the register at the request of the person who made them.

⁽¹⁾ S.R.2005 No. 32

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

2. Where an application under regulation 8, 13(1)(b), 14(2) or 15(3) is withdrawn at any time before it is determined—
 - (a) no further particulars relating to the application shall be entered on the register after the application is withdrawn; and
 - (b) all particulars relating to the application shall be removed from the register not less than 2 months and not more than 3 months after the application is withdrawn.
3. Nothing in paragraph 1 shall require the Department to keep on the register—
 - (a) information obtained in the circumstances referred to in paragraph 1(1)(l) for more than 6 years from the date on which that information was entered in the register;
 - (b) information which has been superseded by later information more than 6 years after that later information was entered in the register.
4. Paragraph 3(a) shall not apply to information relating to specific impacts or classes of impacts on the water environment from controlled activities generally or from any class of controlled activities.