
STATUTORY RULES OF NORTHERN IRELAND

2006 No. 489

**The Nitrates Action Programme
Regulations (Northern Ireland) 2006**

PART 8

POWERS, DUTIES AND FUNCTIONS OF THE DEPARTMENTS

Reporting

26.—(1) The Departments shall prepare at four-yearly intervals a report in accordance with Article 10 of the Directive.

(2) The Departments shall submit a report to the European Commission within 6 months of the reporting cycle which ends on 31 December 2007 and every four years thereafter.

Reviewing

27.—(1) The Departments shall, every four years, in consultation with the public, review this action programme and, if appropriate, publish a revised action programme for the protection of water against nitrates from agricultural sources.

(2) An action programme shall include such measures necessary as required by Article 5 of the Directive and shall contain a review of the action programme most recently made and of such additional measures as may be required.

(3) The Departments shall:—

(a) ensure that the public is given early and effective opportunity to participate in the preparation, review or revision of an action programme required by Article 5 of the Directive; and

(b) in doing so shall—

(i) ensure that the public is informed by public notices or other appropriate means such as electronic media, about any proposals for the preparation, review or revision of an action programme;

(ii) ensure that the information about the proposals referred to in paragraph (3)(a), is made available to the public, including information about the right to participate in decision making in relation to those proposals;

(iii) ensure that the public is entitled to make comments before any decision is made on the establishment, review or revision of an action programme;

(iv) in making any such decision, take due account of the results of the public participation; and

(v) having examined the comments made by the public, make reasonable efforts to inform the public of the decisions taken and the reasons and considerations on which these decisions are based, including information on the public participation process.

(4) In carrying out their functions under paragraph (3), the Departments shall ensure that reasonable time is allowed as is sufficient to enable the public to participate effectively.

(5) In carrying out the functions under paragraph (3), where the Departments publish any information, the Departments shall:

- (a) do so in a way as they consider appropriate for the purpose of bringing the information to the attention of the public; and
- (b) make copies of that information accessible to the public free of charge through their websites or otherwise.

(6) The Departments shall specify in a notice on their websites or otherwise the detailed arrangements made to enable public participation in the preparation, review or revision of an action programme, including: -

- (a) the address to which comments in relation to those proposals may be submitted; and
- (b) the date by which such comments should be received.