
STATUTORY RULES OF NORTHERN IRELAND

2006 No. 489

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

PART 7

ENFORCEMENT

Notices

22.—(1) Where the Department is of the opinion that a controller is in breach or is likely to be in breach of these Regulations or has breached these Regulations in such circumstances which make it likely that the breach will continue or be repeated, the Department may serve a notice on the controller in accordance with this regulation.

(2) A notice served in accordance with paragraph (1) shall:

- (a) require the controller upon whom it is served to carry out such works or to take reasonable precautions and other steps as the Department considers appropriate to remedy, or to prevent the continuation or repetition of, any contravention to which the notice relates;
- (b) state the period within which any such requirement is to be complied with; and
- (c) inform the controller on whom the notice is served of their right to appeal under regulation 23(1).

(3) Subject to paragraph (4), the period for compliance stated in the notice as per paragraph (2)(b) shall be such as is reasonable in the circumstances and shall not in any case be less than 28 days.

(4) A notice under paragraph (2) may be appealed in accordance with regulation 23 and such an appeal shall suspend the period of compliance under paragraph (2)(b).

(5) The Department may at any time: —

- (a) withdraw the notice;
- (b) extend the period for compliance;
- (c) with the consent of the person on whom the notice is served, modify the requirement of the notice.