
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations implement in Northern Ireland Directive [2006/118/EC](#) of the European Parliament and of the Council of 12 December 2006 on the protection of groundwater against pollution and deterioration, OJNo. L372, 27.12.2006, p.19. They continue to implement Directive [2000/60/EC](#) of the European Parliament and of the Council (establishing a framework for Community action in the field of water policy, OJ No. L327, 22.12.2000. p.60).

They revoke and replace the Groundwater Regulations (Northern Ireland) 1998.

Part 1 of the Regulations is introductory.

Part 2 transposes Articles 3, 4 & 5 of Council Directive [2006/118/EC](#) in relation to the classification of groundwater bodies, the establishment of threshold values and the identification of trends and starting points for their reversal.

Part 3 places requirements on the Department when they grant an authorisation under these Regulations and a consent under Article 7A of the Water (Northern Ireland) Order 1999, (as inserted by Article 280 of The Water and Sewerage Services (Northern Ireland) Order 2006), and ensures the review of all authorisations for compliance with the conditions of the authorisation.

Part 4 creates an offence of a discharge of a hazardous substance or non-hazardous pollutant without an authorisation, and provision as to how an authorisation for this is applied for.

Part 5 is concerned with enforcement. Regulation 24 gives the Department powers to require information and regulation 25 gives the Department powers to serve notices prohibiting activities, or authorising them subject to conditions. Regulation 27 provides for codes of practice and regulation 29 details the penalties that may be applied if a person or body corporate is found guilty of an offence under regulations 19, 24 or 25.

Changes to legislation:

There are outstanding changes not yet made by the legislation.gov.uk editorial team to Groundwater Regulations (Northern Ireland) 2009. Any changes that have already been made by the team appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- Regulations power to amend or modify conferred by 2021 c. 30 s. 89
- Regulations power to amend or modify conferred by 2021 c. 30 s. 91
- reg. 2(1) words inserted by S.R. 2014/208 reg. 4(a)(i)
- reg. 2(1) words inserted by S.R. 2014/208 reg. 4(a)(ii)
- reg. 2(1) words inserted by S.R. 2014/208 reg. 4(a)(iii)
- reg. 2(1) words inserted by S.R. 2014/208 reg. 4(a)(iv)
- reg. 2(1) words inserted by S.R. 2016/119 reg. 3
- reg. 2(1) words inserted by S.R. 2017/81 Sch. 4 para. 4(2)(a)
- reg. 2(1) words inserted by S.I. 2019/112 reg. 7(2)
- reg. 2(1) words substituted by S.R. 2017/81 Sch. 4 para. 4(2)(b)
- reg. 2(1) words substituted by S.R. 2017/81 Sch. 4 para. 4(2)(c)
- reg. 2(1) words substituted by S.R. 2018/200 Sch. 2 para. 9
- reg. 2(3) deleted by S.R. 2014/208 reg. 4(b)
- reg. 7 substituted by S.R. 2014/208 reg. 5
- reg. 8(1) words inserted by S.R. 2014/208 reg. 6(1)
- reg. 8(5) words inserted by S.R. 2014/208 reg. 6(2)
- reg. 8(5) words substituted by S.I. 2019/112 reg. 7(4)
- reg. 9 substituted by S.R. 2014/208 reg. 7
- reg. 9(2) word substituted by S.R. 2017/81 Sch. 4 para. 4(3)
- reg. 10(1) word substituted by S.R. 2017/81 Sch. 4 para. 4(4)
- reg. 10(1) words inserted by S.R. 2014/208 reg. 8(1)
- reg. 10(3) word substituted by S.R. 2017/81 Sch. 4 para. 4(4)
- reg. 10(4) substituted by S.R. 2017/81 Sch. 4 para. 4(5)
- reg. 10(5) words substituted by S.I. 2019/112 reg. 7(5)
- reg. 10(6) words removed by S.R. 2014/208 reg. 8(2)
- reg. 10(7) word substituted by S.R. 2017/81 Sch. 4 para. 4(4)
- reg. 10(8) word substituted by S.R. 2017/81 Sch. 4 para. 4(4)
- reg. 10(9) omitted by S.R. 2017/81 Sch. 4 para. 4(6)
- reg. 11(1) word substituted by S.R. 2017/81 Sch. 4 para. 4(4)
- reg. 11(1)(d) substituted by S.I. 2019/112 reg. 7(6)
- reg. 11(2) substituted by S.R. 2017/81 Sch. 4 para. 4(7)
- reg. 12 substituted by S.I. 2019/112 reg. 7(7)
- reg. 13 words substituted by S.R. 2018/200 Sch. 2 para. 10
- reg. 14 substituted by S.R. 2014/208 reg. 9
- reg. 15 substituted by S.R. 2014/208 reg. 10
- reg. 16 words inserted by S.R. 2014/208 reg. 11(1)
- reg. 16 words substituted by S.I. 2019/112 reg. 7(8)(a)
- reg. 18 substituted by S.R. 2016/119 reg. 4
- reg. 19(2) word substituted by S.R. 2017/81 Sch. 4 para. 4(10)
- reg. 23(2) word substituted by S.R. 2017/81 Sch. 4 para. 4(4)
- reg. 29(a) words substituted by S.R. 2009/359 reg. 3(2)

Changes and effects yet to be applied to the whole Rule associated Parts and Chapters:

Whole provisions yet to be inserted into this Rule (including any effects on those provisions):

- Sch. inserted by S.R. 2014/208 reg. 12
- Sch. Table 1 substituted by S.R. 2016/119 reg. 5

- Sch. 1 Sch. renumbered as Sch. 1 by S.I. 2019/112 reg. 7(9)
- Sch. 2 inserted by S.I. 2019/112 reg. 7(10)
- reg. 2(5) inserted by S.I. 2019/112 reg. 7(3)
- reg. 8(6)(7) inserted by S.R. 2014/208 reg. 6(3)
- reg. 9(3) word substituted by S.R. 2017/81 Sch. 4 para. 4(3)
- reg. 10(6A) inserted by S.R. 2014/208 reg. 8(3)
- reg. 14(2) substituted by S.R. 2017/81 Sch. 4 para. 4(8)
- reg. 15(2) substituted by S.R. 2017/81 Sch. 4 para. 4(9)
- reg. 16(i) inserted by S.R. 2011/211 reg. 2(2)
- reg. 16(i) substituted by S.I. 2019/112 reg. 7(8)(b)