
STATUTORY RULES OF NORTHERN IRELAND

2013 No. 160

The Pollution Prevention and Control (Industrial Emissions) Regulations (Northern Ireland) 2013

PART 1

GENERAL

Application to the Crown

5.—(1) Subject to the provisions of this regulation, these Regulations and the 2003 Landfill Regulations bind the Crown to the full extent authorised or permitted by the constitutional laws of Northern Ireland.

(2) No contravention by the Crown of any provision of these Regulations or the 2003 Landfill Regulations shall make the Crown criminally liable under regulation 36 of these Regulations or under regulation 17 of the 2003 Landfill Regulations and no proceedings may be taken against the Crown under regulation 37 of these Regulations but the High Court may, on the application of the enforcing authority charged with enforcing that provision, declare unlawful any act or omission of the Crown which constitutes such a contravention.

(3) Notwithstanding anything in paragraph (2), the provisions of these Regulations and the 2003 Landfill Regulations shall apply to persons in the public service of the Crown as they apply to other persons.

(4) If the Secretary of State certifies that it appears to him, as respects any Crown premises and any specified powers of entry exercisable under regulation 30, that it is requisite or expedient that, in the interests of national security, the powers of entry should not be exercisable in relation to the premises, those powers shall not be exercisable in relation to those premises; and in this paragraph “specified” means specified in the certificate and “Crown premises” means premises held or used by or on behalf of the Crown.

(5) Any reference to the Crown in this regulation includes the Crown in right of Her Majesty’s Government in the United Kingdom.