

**2019 No. 24**

**PLANNING**

**The Planning (Miscellaneous Amendments) Regulations  
(Northern Ireland) 2019**

*Made* - - - - - *4th March 2019*

*Coming into operation* - *27th March 2019*

The Department for Infrastructure is designated<sup>(a)</sup> for the purposes of section 2(2) of the European Communities Act 1972<sup>(b)</sup> as regards matters relating to the environment.

The Department for Infrastructure makes the following Regulations in exercise of the powers conferred by section 2(2) of the European Communities Act 1972 and by section 8(5)(c), 9(6)(c), 51, 108(4) and (5), 109(1), (2) and (4), 111, 115(7), 116(3), 162(4), (10) and (12), 223 and 247(1) of the Planning Act (Northern Ireland) 2011<sup>(c)</sup>.

**PART 1**

**Introductory Provisions**

**Citation and commencement**

**1.** These Regulations may be cited as the Planning (Miscellaneous Amendments) Regulations (Northern Ireland) 2019 and shall come into operation on 27th March 2019.

**Interpretation**

**2.** The Interpretation Act (Northern Ireland) 1954<sup>(d)</sup> shall apply to these Regulations as it applies to an Act of the Assembly.

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(a) S.I. 2008/301

(b) 1972 c.68 The enabling powers of section 2(2) were extended by virtue of the amendment of section 1(2) by section 1 of the European Economic Area Act 1993 (c.51)

(c) 2011 c.25 (N.I.)

(d) 1954 c.33 (N.I.)

## PART 2

### Amendments as respects Environmental Impact Assessment

#### **Amendments to the Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 2015**

3. Insofar as the Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 2015(a) continue to have effect by virtue of regulation 48 of the Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 2017(b), references therein to "the Department" shall be construed as references to "the Department for Infrastructure".

#### **Amendments to the Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 2012**

4. Insofar as the Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 2012(c) continue to have effect, by virtue of regulation 45 of the Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 2015, references therein to "the Department" shall be construed as references to "the Department for Infrastructure".

#### **Amendments to the Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 1999**

5. Insofar as the Planning (Environmental Impact Assessment) Regulations 1999(d) continue to have effect by virtue of regulation 40 of the Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 2012, references therein to "the Department" shall be construed as references to "the Department for Infrastructure".

## PART 3

### Amendments as respects Management of Waste from Extractive Industries

#### **Amendments to the Planning (Management of Waste from Extractive Industries) Regulations (Northern Ireland) 2015**

6. In regulation 2(2) of the Planning (Management of Waste from Extractive Industries) Regulations (Northern Ireland) 2015(e) for the definition of "the Department" substitute "'the Department" means the Department for Infrastructure;".

#### **Amendments to the Planning (Management of Waste from Extractive Industries) Regulations (Northern Ireland) 2010**

7. Insofar as the Planning (Management of Waste from Extractive Industries) Regulations (Northern Ireland) 2010(f) continue to have effect by virtue of regulation 24 of the Planning (Management of Waste from Extractive Industries) Regulations (Northern Ireland) 2015, references therein to "the Department" shall be construed as references to "the Department for Infrastructure".

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(a) S.R. 2015 No. 74  
(b) S.R. 2017 No. 83  
(c) S.R. 2012 No. 59  
(d) S.R. 1999 No. 73  
(e) S.R. 2015 No. 85  
(f) S.R. 2010 No. 64

## PART 3

### Amendments as respects Hazardous Substances

#### **Amendments to the Planning (Hazardous Substances) (No.2) Regulations (Northern Ireland) 2015**

**8.**—(1) The Planning (Hazardous Substances) (No.2) Regulations (Northern Ireland) 2015(a) are amended as follows—

(2) In regulation 2(2) after the definition of "consent" insert "'the Department" means the Department for Infrastructure;".

(3) In regulation 19(2)(b) for "the Department" substitute "the Department of Agriculture, Environment and Rural Affairs".

Sealed with the Official Seal of the Department for Infrastructure on 4th March 2019



*Angus Kerr*  
A senior officer of the  
Department for Infrastructure

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(a) S.R. 2015 No. 344

## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

The Department for Infrastructure makes the following Regulations in exercise of the powers conferred by section 2(2) of the European Communities Act 1972 and also, where appropriate, domestic legislation, in order to make minor miscellaneous amendments to update the provisions set out in them to allow the amended provision to operate appropriately.

The Planning (Management of Waste from Extractive Industries) Regulations (Northern Ireland) 2010 and the Planning (Environmental Impact Assessment) Regulations (Northern Ireland) for 2015, 2012 and 1999 remain extant in part, to cater for the determination of planning applications received prior to the introduction of the subsequent versions of the Regulations.

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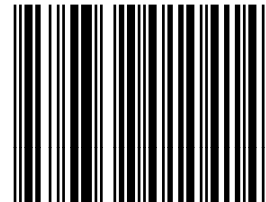
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