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DRAFT STATUTORY INSTRUMENTS

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**1998 No.**

**Water (Northern Ireland) Order 1998**

**PART II**

**FUNCTIONS OF THE DEPARTMENT OF THE ENVIRONMENT  
IN RELATION TO MATTERS AFFECTING WATER**

*Works, etc.*

**Power of Department to carry out engineering or building operations**

**23.**—(1) The Department may—

- (a) carry out such engineering or building operations as it considers necessary or expedient for the purposes of any of its functions under this Part;
- (b) vary the flow of water in a waterway for those purposes; and
- (c) discharge water into any waterway or underground strata or on to land for those purposes.

(2) The Department may, for the purpose of performing any functions under paragraph (1), exercise such compulsory powers relating to the performance of those functions as may be specified in an order made by the Department under this paragraph.

(3) The Department shall, in exercising its functions under this Article, have regard to—

- (a) the conservation of water resources;
- (b) the prevention of pollution;
- (c) the needs of the community with respect to water and the disposal of effluent;
- (d) the conservation and enhancement of the natural beauty and amenity of waterways and of land associated with waterways;
- (e) the conservation and enhancement of flora and fauna;
- (f) the conservation of any feature of archaeological, historical, architectural or traditional interest.

(4) Schedule 2 shall have effect with respect to orders under paragraph (2).