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DRAFT STATUTORY INSTRUMENTS

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**2007 No.**

**The Street Works (Amendment) (Northern Ireland) Order 2007**

*Requirements as to execution of street works*

**Qualifications of supervisors and operatives**

12.—(1) Article 27 of the 1995 Order (qualifications of supervisors and operatives) is amended as follows.

(2) After paragraph (1) there is inserted—

“(1A) A street authority may (unless the case is one excepted from paragraph (1)) by notice require an undertaker executing street works—

(a) to notify it of the name of—

(i) the person who is currently the qualified supervisor required by paragraph (1); and

(ii) each person who has previously been the qualified supervisor so required; and

(b) to provide it with such evidence of the requisite qualification of each person named as may be prescribed.”.

(3) After paragraph (2) there is inserted—

“(2A) A street authority may (unless the case is one excepted from paragraph (2)) by notice require an undertaker executing street works—

(a) to notify it of the name of—

(i) a person whose presence on site at any time specified in the notice (being a time when the works were in progress) enabled the undertaker to comply with his duty under paragraph (2); or

(ii) each person whose presence on site during the progress of the works enabled the undertaker to comply with his duty in paragraph (2); and

(b) to provide it with such evidence of the requisite qualification of each person named as may be prescribed.

(2B) A notice under paragraph (1A) or (2A) may be given at any time while the works are being executed or within such period after their completion as may be prescribed.

(2C) The undertaker shall comply with a notice under paragraph (1A) or (2A) within such period as may be prescribed.”.

(4) In paragraph (3) for “or (2)” there is substituted “, (2) or (2C)”.

(5) In paragraph (4), after sub-paragraph (b) there is inserted “and

(c) the form of any document to be issued by an approved body to certify or otherwise show that a qualification has been conferred on any person.”.