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*Changes to legislation:* There are currently no known outstanding effects for the Environment Act 2021, Paragraph 18. (See end of Document for details)

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## SCHEDULES

### SCHEDULE 3

#### THE OFFICE FOR ENVIRONMENTAL PROTECTION: NORTHERN IRELAND

#### PART 1

##### THE OEP'S NORTHERN IRELAND FUNCTIONS

##### *Meaning of UK environmental law and Northern Ireland environmental law*

- 18 (1) In this Part of this Schedule “UK environmental law” means anything that is environmental law for the purposes of Part 1 of this Act (see section 46), but not anything that is environmental law only for the purposes of section 20.
- (2) In this Part of this Schedule “Northern Ireland environmental law” means any Northern Ireland legislative provision that—
- (a) is mainly concerned with environmental protection, and
  - (b) is not concerned with an excluded matter.
- (3) Excluded matters are—
- (a) disclosure of or access to information;
  - (b) taxation, spending or the allocation of resources within government.
- (4) “Northern Ireland legislative provision” means—
- (a) legislative provision contained in, or in an instrument made under, Northern Ireland legislation, and
  - (b) legislative provision not within paragraph (a) which, if contained in an Act of the Northern Ireland Assembly, would be within the legislative competence of the Assembly and would not require the Secretary of State’s consent.
- (5) The Department may by regulations provide that a Northern Ireland legislative provision specified in the regulations is, or is not, within the definition of “Northern Ireland environmental law” in sub-paragraph (2) (and this Part of this Schedule applies accordingly).
- (6) Before making regulations under sub-paragraph (5) the Department must consult—
- (a) the OEP, and
  - (b) any other persons the Department considers appropriate.
- (7) Regulations under sub-paragraph (5) are subject to the affirmative procedure.

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#### Commencement Information

- II** Sch. 3 para. 18 not in force at Royal Assent, see **s. 147(6)(7)**
- I2** Sch. 3 para. 18 in force at 28.2.2022 by S.R. 2022/54, **art. 2(1)(a)**

**Changes to legislation:**

There are currently no known outstanding effects for the Environment Act 2021, Paragraph 18.