



# Environment Act 2021

## 2021 CHAPTER 30

### PART 5

#### WATER

##### *Water quality*

#### **91 Water quality: powers of Northern Ireland department**

- (1) The Department of Agriculture, Environment and Rural Affairs in Northern Ireland may by regulations amend or modify any legislation to which this section applies for the purpose of—
  - (a) making provision about the substances to be taken into account in assessing the chemical status of surface water or groundwater;
  - (b) specifying standards in relation to those substances or in relation to the chemical status of surface water or groundwater.
- (2) This section applies to—
  - (a) the Groundwater Regulations (Northern Ireland) 2009 ([S.R. \(N.I.\) 2009 No. 254](#));
  - (b) the Water Framework Directive (Classification, Priority Substances and Shellfish Waters) Regulations (Northern Ireland) 2015 ([S.R. \(N.I.\) 2015 No. 351](#));
  - (c) the Water Environment (Water Framework Directive) Regulations (Northern Ireland) 2017 ([S.R. \(N.I.\) 2017 No. 81](#));
  - (d) any regulations modifying that legislation made under or by virtue of the European Union (Withdrawal) Act 2018.
- (3) Regulations under subsection (1) may also, in connection with provision made under subsection (1)(a) or (b), amend or modify legislation to which this section applies so as to make provision—
  - (a) setting objectives in relation to the substances about which the provision is made, or in relation to the chemical status of surface water or groundwater

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*Changes to legislation: There are currently no known outstanding effects for the Environment Act 2021, Section 91. (See end of Document for details)*

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- (including objectives to maintain specified standards or to achieve specified standards by specified dates);
- (b) about how objectives set by the regulations are to be met, including provision requiring, or otherwise relating to, measures to be taken to achieve those objectives;
  - (c) requiring, or otherwise relating to, the monitoring or assessment of any matter relating to the chemical status of surface water or the chemical status of groundwater;
  - (d) about the classification of bodies of water according to their chemical status or any matter relating to their chemical status.
- (4) Before making regulations under this section the Department must consult any persons or bodies appearing to the Department to represent the interests of those likely to be affected by the regulations.
- (5) Regulations under this section may contain only provision 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.
- (6) Regulations under this section are subject to the negative procedure.

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**Commencement Information**

- I1** S. 91 not in force at Royal Assent, see [s. 147\(6\)](#)
- I2** [S. 91](#) in force at 28.2.2022 by [S.R. 2022/54](#), [art. 2\(1\)\(o\)](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Environment Act 2021, Section 91.