STATUTORY RULES OF NORTHERN IRELAND

2014 No. 77

ENVIRONMENTAL PROTECTION

The Fluorinated Greenhouse Gases (Amendment) Regulations (Northern Ireland) 2014

Made - - - -	*12th March 2014*
Coming into operation -	*23rd April 2014*

The Department of the Environment, being a department designated (**a**) for the purposes of section 2(2) of the European Communities Act 1972 (**b**) in relation to the environment, makes these Regulations in exercise of the powers conferred by section 2(2) of that Act.

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Fluorinated Greenhouse Gases (Amendment) Regulations (Northern Ireland) 2014 and come into operation on 23rd April 2014.

(2) The Interpretation Act (Northern Ireland) 1954(**c**) applies to these Regulations as it applies to an Act of the Northern Ireland Assembly.

Amendment of the Fluorinated Greenhouse Gases Regulations (Northern Ireland) 2009

2.—(1) The Fluorinated Greenhouse Gases Regulations (Northern Ireland) 2009(**d**) are amended in accordance with paragraphs (2) to (5).

(2) In regulation 2(3) (interpretation), for sub-paragraph (b), substitute the following sub-paragraphs—

"(b) in relation to offshore installations, except for offshore installations used for carrying on any of the activities described in paragraph (4)(h) and (i), the Secretary of State;

(c) in relation to offshore installations used for carrying on any of the activities described in paragraph (4)(h) and (i), the Department.".

(3) In regulation 2(4)—

(a) at the end of sub-paragraph (f), omit "and"; and

(b) for sub-paragraph (g), substitute the following sub-paragraphs—

"(g) the provision of accommodation for persons who work on or from an installation which is or has been maintained, or is intended to be established, for carrying on any of the activities within sub-paragraphs (a) to (f);

(h) the production of energy from water or wind; and

(**a**) S.I. 2008/301
(**b**) 1972 c.68
(**c**) 1954 c.33 (N.I.)
(**d**) S.R. 2009 No. 184, as amended by S.R. 2012 No. 230

(i) the provision of accommodation for persons who work on or from an installation which is or has been maintained, or is intended to be established, for the production of energy from water or wind.".

(4) In regulation 48(1) (corporate offences), omit "to" in the first instance where that word occurs.

(5) For regulation 51 (enforcement), substitute—

"Enforcement

51.—(1) Subject to paragraphs (2) to (4), the district council must enforce these Regulations.

(2) In relation to—

(a) cases of a particular description; or

(b) a particular case,

the Department may direct that the duty imposed by paragraph (1) on the district council must be discharged by it and not by the district council.

(3) The Secretary of State must enforce these Regulations in relation to offshore installations except for offshore installations used for carrying on any of the activities described in regulation 2(4)(h) and (i).

(4) The Department must enforce these Regulations in relation to offshore installations used for carrying on any of the activities described in regulation 2(4)(h) and (i).".

Sealed with the official seal of the Department of the Environment on 12th March 2014.

L.S.

Wesley Shannon
A senior officer of the
Department of the Environment

EXPLANATORY NOTE

(This note is not part of the Regulations)

Regulation 2 of these Regulations amends the definition of an "offshore installation" within the Fluorinated Greenhouse Gases Regulations (Northern Ireland) 2009 ("the Principal Regulations").

Regulation 2 also authorises the Department of the Environment as a new enforcing authority for the Principal Regulations for offshore installations used for the production of energy from water or wind in Northern Ireland's territorial waters.

Regulation 2 of these Regulations also makes a technical change to the section of the Principal Regulations on corporate offences.

Further information on these Regulations is available from the Environmental Policy Division, Department of the Environment, Goodwood House, May Street, Town Parks, Belfast BT1 4NN.

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