STATUTORY RULES OF NORTHERN IRELAND

2010 No. 28

LOUGH NEAGH DRAINAGE

The Lough Neagh (Levels) Scheme (Confirmation) Order (Northern Ireland) 2010

Made - - - -	*8th February 2010*
Coming into force - -	*1st March 2010*

The Department of Agriculture and Rural Development(**a**) ("the Department") makes the following Order in exercise of the powers conferred by section 3(1) and (2) of the Lough Neagh and Lower Bann Drainage and Navigation Act (Northern Ireland) 1955(**b**) ("the Act") and now vested in it(**c**).

The Lough Neagh (Levels) Scheme 1955(**d**) ("the 1955 Scheme") was confirmed by Order(**e**) made under section 3(1) and (2) of the Act.

In accordance with section 1(2) of the Act, the Department prepared the Scheme ("the 2010 Scheme"), which further supplements and modifies the 1955 Scheme and which is set out in the Schedule to this Order.

The Department has complied with the provisions of section 2 of the Act and has considered such observations as were sent to it in relation to the 2010 Scheme and does not consider it proper to hold an inquiry.

Citation

1. This Order may be cited as the Lough Neagh (Levels) Scheme (Confirmation) Order (Northern Ireland) 2010.

Confirmation and date of operation of Scheme

2. The Department confirms without modification the 2010 Scheme which shall come into operation on and from 1st March 2010.

(**a**) Formerly known as the Department of Agriculture. See S.I. 1999/283 (N.I. 1) Article 3(4)
(**b**) 1955 c. 15 (N.I.) as amended by 1970 c. 7 (N.I.)
(**c**) S.R. & O (N.I.) 1964 No. 205
(**d**) Made on 26th July 1955 by the Ministry of Finance and brought into operation by and scheduled to the Lough Neagh (Levels) Scheme 1995 (Operative Date) Order (Northern Ireland) 1958, (S.R. & O (N.I.) 1958 No. 179 (p.309) and supplemented and modified by the Lough Neagh (Levels) Scheme 1995 brought into operation by and scheduled to the Lough Neagh (Levels) Scheme (Confirmation) Order (Northern Ireland) 1999, (S.R. 1999 No. 69) and further supplemented and modified by the Lough Neagh (Levels) Scheme 2004 brought into operation by and scheduled to the Lough Neagh (Levels) Scheme (Confirmation) Order (Northern Ireland) 2004, (S.R. 2004 No, 513)
(**e**) S.R. & O (N.I.) 1958 No. 179 (p.309)

Sealed with the Official Seal of the Department of Agriculture and Rural Development on 8th February 2010.



John C Clarke
A Senior Officer of the
Department of Agriculture and Rural Development

SCHEDULE

LOUGH NEAGH (LEVELS) SCHEME 2010

1. This Scheme may be cited as the Lough Neagh (Levels) Scheme 2010.

2. The Lough Neagh (Levels) Scheme 1955(**a**) as supplemented and modified by the Lough Neagh (Levels) Scheme 1995(**b**) and the Lough Neagh (Levels) Scheme 2004(**c**) shall have effect with the substitution of the following for Article 5, that is to say:

> "5. In this Scheme references to the level of the Lough shall be construed as references to the mean level of the Lough as recorded on the system maintained by the Department at Toomebridge on the northern shore of the Lough, at Oxford Island on the southern shore, at Loughview Road on the eastern shore and at Ardboe Point on the western shore".

(**a**) Made on 26th July 1955 by the Ministry of Finance and brought into operation by and scheduled to the Lough Neagh (Levels) Scheme 1955 (Operative Date) Order (Northern Ireland) 1958, (S.R. & O (N.I.) 1958 No. 179 (p. 309))

(**b**) Made on 10th November 1995 by the Department of Agriculture and brought into operation by and scheduled to the Lough Neagh (Levels) Scheme (Confirmation) Order (Northern Ireland) 1999, (S.R. 1999 No. 69)

(**c**) Made on 16th December 2004 by the Department of Agriculture and Rural Development and brought into operation by and scheduled to the Lough Neagh (Levels) Scheme (Confirmation) Order (Northern Ireland) 2004, (S.R. 2004 No. 513)

EXPLANATORY NOTE

(This note is not part of the Order)

This Order confirms and brings into operation the Lough Neagh (Levels) Scheme 2010 ("the 2010 Scheme") which supplements and modifies the Lough Neagh (Levels) Scheme 1955 ("the 1955 Scheme"). The 2010 Scheme substitutes a new Article for Article 5 of the 1955 Scheme so that the mean level of the Lough shall now be the mean level as recorded on the systems maintained by the Department at Toomebridge and Oxford Island, on the northern and southern shores respectively, and additionally at Loughview Road and Ardboe Point on the eastern and western shores respectively of the Lough. The range of levels within which Lough Neagh is controlled will not change under the new Scheme.

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