1994 No. 20

WATER AND SEWERAGE

The Prevention of Pollution (Erne System) Regulations (Northern Ireland) 1994

Made	*20th January 1994*
Coming into operation . . .	*1st April 1994*

Whereas it appears to the Department of the Environment expedient to make provision for prohibiting or restricting the keeping or use on waterways of vessels provided with sanitary appliances from which polluting matter passes or can pass into the waterway;

AND WHEREAS the Department has published a notice in compliance with paragraph 1 of Schedule 2 to the Water Act (Northern Ireland) 1972(**a**);

AND WHEREAS no objection has been received;

NOW THEREFORE the Department, in exercise of the powers conferred by section 12 of the Water Act (Northern Ireland) 1972 and now vested in it(**b**) and of every other power enabling it in that behalf, makes the following regulations:

Citation and commencement

1. These regulations may be cited as the Prevention of Pollution (Erne System) Regulations (Northern Ireland) 1994 and shall come into operation on 1st April 1994.

Interpretation

2. In these regulations—

"Erne System" means Upper and Lower Lough Erne and such portions of the River Erne and the tributaries of both of the Loughs as are in Northern Ireland and including all locks, quays, jetties, harbours and canals;

"hirer" means any person to whom a vessel shall be on hire or any person in charge thereof by the appointment or with the permission of the owner.

(a) 1972 c. 5 (N.I.); Sch. 2 was amended by para 13 of Sch. 3 to the Water and Sewerage Services (Northern Ireland) Order 1973 (S.I. 1973/70 (N.I. 2))
(b) S.R. & O. (N.I.) 1973 No. 504 Art. 4

Application

3. These regulations shall apply to all vessels first licensed or registered on or after 1st April 1994 with the Department of Agriculture under the Lough Erne (Navigation) Bye-laws (Northern Ireland) 1978(**a**) and to all other vessels from 1st April 1996.

Prohibition on use of certain vessels

4. No person being the owner or the hirer shall keep or use or knowingly permit to be kept or used on the Erne System any vessel provided with a sanitary appliance of such a design that polluting matter passes or can pass into a waterway.

Penalties

5. Any person who contravenes regulation 4 shall be guilty of an offence and liable on summary conviction to a fine not exceeding £1,000.

Sealed with the Official Seal of the Department of the Environment on 20th January 1994.

(L.S.) *J. McConnell*
Assistant Secretary

(a) S.R. 1978 No. 43; relevant amending bye-laws are S.R. 1986 No. 1

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These regulations shall apply to all vessels first licensed or registered on or after 1st April 1994 with the Department of Agriculture under the Lough Erne (Navigation) Bye-laws (Northern Ireland) 1978 and to all other vesssels from the 1st April 1996 (regulation 3).

The regulations prohibit the keeping or use on the Erne System of vessels that can discharge the contents of their sanitary appliances (toilets) directly into the water (regulation 4).

Any person who acts in contravention of the regulations shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding £1,000 (regulation 5).