

S.I. No. 36/1983 — Local Government (Water Pollution) Regulations, 1983.

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LOCAL GOVERNMENT (WATER POLLUTION) REGULATIONS, 1983.

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The Minister for the Environment in exercise of the powers conferred on him by sections 9 and 30 of the Local Government (Water Pollution) Act, 1977 (No. 1 of 1977) and section 10 of the Local Government (Planning and Development) Act, 1982 (No. 21 of 1982) as applied by the Local Government (Water Pollution) Act, 1977 (Transfer of Appeals) Order, 1978 (S.I. No. 96 of 1978) and the Local Government (Water Pollution) Act, 1977 (Transfer of Appeals) Order, 1978 (Amendment) Order, 1983 (S.I. No. 37 of 1983) with the consent of the Minister for Finance hereby makes the following Regulations:—

1. (1) These Regulations may be cited as the Local Government (Water Pollution) Regulations, 1983.

(2) These Regulations and the Local Government (Water Pollution) Regulations, 1978 may be cited together as the Local Government (Water Pollution) Regulations, 1978 and 1983 and shall be construed together as one.

2. These Regulations shall come into operation on the 11th day of April, 1983.

3. In these Regulations:—

"the Board" means An Bord Pleanála;

"appeal" means an appeal to the Board under the Local Government (Water Pollution) Act, 1977 ;

"State authority" and "planning authority" have the meanings assigned to them in the Local Government (Planning and Development) Act, 1963 (No. 28 of 1963).

4. (1) Subject to sub-article (2), a fee of £30 shall be paid to the Board by an appellant in respect of an appeal by him to the Board.

(2) Where an appeal is made to the Board by—

- (*a*) a State authority,
- (*b*) a planning authority,
- (*c*) The Central Fisheries Board,
- (*d*) a regional fisheries board,
- (*e*) Bord Fáilte Éireann,
- (*f*) An Taisce—The National Trust for Ireland,
- (*g*) The National Monuments Advisory Council,

the fee to be paid to the Board in respect of the appeal shall be £15.

5. (1) Subject to sub-section (2), a fee of £10 shall be paid to the Board by a person making submissions or observations to the Board as regards an appeal.

(2) Sub-article (1) shall not apply where the person by or on whose behalf submissions or observations are made is—

- (*a*) the appellant,
- (*b*) the applicant for the licence in relation to which the appeal is made,
- (*c*) any person served by a local authority with a notice or copy thereof under section 12 of the Local Government (Water Pollution) Act, 1977 in relation to which an appeal is made by another person, or
- (*d*) a person referred to in article 4 (2).

(3) Where a fee has been paid under this article by or on behalf of a person or body of persons making submissions or observations as regards a particular appeal, a fee shall not be payable in respect of any further submissions or observations made by or on behalf of the same person or body of persons as regards that appeal.

6. A person making a request to the Board for an oral hearing of an appeal shall, in addition to the fee prescribed by article 4 (1), pay to the Board a fee of £30 in respect of the request.

7. Article 38 of the Local Government (Water Pollution) Regulations, 1978 is hereby amended by the substitution of "£5" for "£1".

GIVEN under the Official Seal of the Minister for the Environment

this 11th day of February, 1983.

DICK SPRING,

Minister for the Environment.

The Minister for Finance hereby consents to these Regulations.

GIVEN under the Official Seal of the Minister for Finance this

11th day of February, 1983.

ALAN M. DUKES,

Minister for Finance.

EXPLANATORY NOTE.

These Regulations provide for a scale of fees in relation to appeals under the Local Government (Water Pollution) Act, 1977 to An Bord Pleanála and for the revision of the prescribed fee for a copy of any entry in a local authority register.