

S.I. No. 351/2010 — Environmental Protection Agency (Licensing) (Amendment) Regulations 2010.

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Notice of the making of this Statutory Instrument was published in

“Iris Oifigiúil” of 16th July, 2010.

I, JOHN GORMLEY, Minister for the Environment, Heritage and Local Government, in exercise of the powers conferred on me by section 6 of the Environmental Protection Agency Act 1992 (No. 7 of 1992) and section 89 of the Environmental Protection Agency Act 1992 (No. 7 of 1992) as substituted by section 15 of the Protection of the Environment Act 2003 (No. 27 of 2003) as adapted by the Environment and Local Government (Alteration of Name of Department and Title of Minister) Order 2003 (S.I. No. 233 of 2003) and to give further effect to Directive 2003/35/EC of the European Parliament and of the Council of 26 May 2003 ¹, hereby make the following regulations:

1. These Regulations may be cited as the Environmental Protection Agency (Licensing) (Amendment) Regulations 2010.

2. These Regulations shall come into operation on 13 July 2010.

3. Regulation 41(2) of the Environmental Protection Agency (Licensing) Regulations 1994 (S.I. No. 85 of 1994) (inserted by Regulation 4(*l*) of the Environmental Protection Agency (Licensing) (Amendment) Regulations 2004 (S.I. No. 394 of 2004) and amended by Regulation 3 of the Environmental Protection Agency (Licensing) (Amendment) Regulations 2008 (S.I. No. 382 of 2008)) is amended—

(a) in paragraph (2)(g)(ii) by the deletion of “may be obtained,”

(b) by inserting after paragraph (2)(g)(ii) the following:

“(iii) practical information on the review mechanism,
may be obtained, and”, and

(c) by substituting for paragraph 2(*h*) the following:

“(h) that

(i) any application for judicial review or any other legal proceedings which question the validity of the decision of the Agency must, in accordance with section 87(10) of the Act, be instituted within the period of 8 weeks beginning on the date indicated in accordance with paragraph (*f*), and

(ii) a person shall not question the validity of the decision of the Agency other than by way of an application for judicial review under Order 84 of the Rules of the Superior Courts (S.I. No. 15 of 1986).”



GIVEN under my Official Seal

13 July 2010.

JOHN GORMLEY,

Minister for the Environment, Heritage and Local Government.

EXPLANATORY NOTE

(This note is not part of the Instrument and does not purport to be a legal interpretation.)

These Regulations are for the purpose of giving full effect to Directive 2003/35/EC of the European Parliament and of the Council of 26 May 2003 providing for public participation in respect of the drawing up of certain plans and programmes relating to the environment and to the amendments arising in relation to Council Directive 96/61/EC concerning integrated pollution prevention and control.

1 O.J. No. L156, 25.06.2003 p. 17

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