**1978 No. 348 (C. 17)**

**PUBLIC HEALTH**

# The Pollution Control and Local Government (Northern Ireland) (1978 Order) (Commencement No. 1) Order (Northern Ireland) 1978

*Made* . . . . . 16*th November* 1978

*Coming into operation* . . . 18*th December* 1978

The Department of the Environment, in exercise of the powers conferred on it by Article 1(2) of the Pollution Control and Local Government (Northern Ireland) Order 1978(**a**) and paragraph 2(1) and (2) of Schedule 1 to the Northern Ireland Act 1974(**b**), and of every other power enabling it in that behalf, hereby makes the following Order:—

*Citation and commencement*

**1.** This Order may be cited as the Pollution Control and Local Government (Northern Ireland) (1978 Order) (Commencement No. 1) Order (Northern Ireland) 1978 and shall come into operation on 18th December 1978.

*Appointed day*

**2.** The day appointed for the coming into operation of the provisions of the Pollution Control and Local Government (Northern Ireland) Order 1978 which are specified in column 1 of the Schedule and which relate to the subject matter specified in column 2 thereof shall be 18th December 1978.

Sealed with the Official Seal of the Department of the Environment for Northern Ireland on 16th November 1978.

(L.S.) *J. A. D. Higgins*
Senior Assistant Secretary

(a) S.I. 1978/1049 (N.I. 19) (b) 1974 c. 28

SCHEDULE

| *Provisions of the Order* | *Subject matter of provisions* |
|---|---|
| Part I | Title, commencement and interpretation. |
| In Part III | |
| Article 37 | Periodical inspections by district councils. |
| Article 38 | Summary proceedings by district councils. |
| Article 39 | Summary proceedings by occupiers of premises. |
| Article 40 | Control of noise on construction sites. |
| Article 41 | Prior consent for work on construction sites. |
| Article 42 | Noise in streets. |
| Article 49 | Execution of works by district councils. |
| Article 50 | Appeals. |
| Article 51 | Codes of practice for minimising noise. |
| Article 52 | "Best practicable means". |
| Article 53 | Interpretation, etc., of Part III. |
| Article 54 | Penalties. |
| In Part IV | |
| Article 55 | Regulations about sulphur content of oil fuel for furnaces or engines. |
| Article 56 | Cable burning. |
| Article 63 | Interpretation of Part IV. |
| In Part V | |
| Article 64 | Amendment of certain statutory provisions relating to water. |
| In Part VI | |
| Article 65 | Defective premises. |
| Article 66 | Ruinous and dilapidated buildings and neglected sites. |
| Article 67 | Bye-Laws as to pleasure fairs. |
| Article 68 | Bye-Laws as to seaside pleasure boats. |
| Article 69 | Information as to ownership of property. |
| Article 70 | Notices prohibiting recurrence of nuisances, etc |
| Article 71 | Reduction of numbers of pigeons and other birds in built-up areas. |
| Article 72 | Power of district councils to obtain information. |
| Article 73 | Acquisition of land otherwise than by agreement. |
| Article 74 | Power of entry and inspection, etc. |
| Article 75 | Power of delegation. |
| Article 76 | Prohibition of disclosure of information. |
| Article 77 | Local inquiries. |
| Article 78 | Power of Department to assist certain projects. |
| Article 79 | Derelict petrol tanks. |
| Article 80 | Alteration of penalties. |
| Article 81 | Amendment of Public Health Acts. |
| Article 82 | Adaptation of enactments to metric units. |
| Article 83 | Power to give effect to international agreements. |
| Article 84 | Miscellaneous provisions relating to legal proceedings. |
| Article 86 | Orders and regulations. |
| Article 87 | Transitional provisions, amendments and repeals. |

| *Provisions of the Order* | *Subject matter of provisions* |
|---|---|
| Schedule 3 | Amendment of the Water Act (Northern Ireland) 1972(c) and the Water and Sewerage Services (Northern Ireland) Order 1973(d). |
| Schedule 4 | Alteration of penalties. |
| Schedule 5 | Provisions of the Public Health Acts (Northern Ireland) 1878 to 1967 in which "Prejudicial to health" is substituted for "Injurious to health". |
| Schedule 6<br>Paragraphs 1, 3, 4 and 5 | Amendment of statutory provisions. |
| In Schedule 7<br>The entry relative to the Steam Whistles Act 1872(e) | Repeals. |
| The entry relative to the Public Health Acts Amendment Act 1890(f) in so far as it repeals section 38 | |
| The entry relative to the Alkali, &c. Works Regulation Act 1906(g) | |
| The entry relative to Part III of Schedule 1 to the Radioactive Substances Act 1960(h) in so far as it repeals paragraphs 18, 23 and 25 | |
| The entry relative to Part I of the Schedule to the Increase of Fines Act (Northern Ireland) 1967(i) in so far as it repeals the entries relating to sections 112 and 114 of the Public Health (Ireland) Act 1878(j) | |
| The entry relative to the Water Act (Northern Ireland) 1972 | |

(c) 1972 c. 5 (N.I.)
(d) S.I. 1973/70 (N.I. 2)
(e) 1872 c. 61
(f) 1890 c. 59
(g) 1906 c. 14
(h) 1960 c. 34
(i) 1967 c. 29 (N.I.)
(j) 1878 c. 52

## EXPLANATORY NOTE

*(This note is not part of the Order, but is intended to indicate its general purport.)*

This Order brings certain provisions of the Pollution Control and Local Government (Northern Ireland) Order 1978 into force on 18th December 1978.