



Northern Ireland
Assembly

Reservoirs Bill
Marshalled List of Amendments
Consideration Stage
Tuesday, 28 April 2015

Amendments tabled up to 9.30am Thursday, 23 April 2015 and selected for debate

The Bill will be considered in the following order-
Clauses, Schedules and Long Title

Amendment 1 [*Negatived on Division*]

Clause 1, Page 1, Line 6

Leave out '10,000' and insert '25,000'

Mr Trevor Clarke
Mr Paul Girvan

Amendment 2 [*Not Called*]

Clause 2, Page 2, Line 2

Leave out '10,000' and insert '25,000'

Mr Trevor Clarke
Mr Paul Girvan

Amendment 3 [*Made*]

Clause 3, Page 2, Line 35

Leave out ‘risk’ and insert ‘reservoir’

Minister of Agriculture and Rural Development

Amendment 4 [Made]

Clause 3, Page 2, Line 36

Leave out ‘matters’ and insert ‘issues’

Minister of Agriculture and Rural Development

Amendment 5 [Made]

Clause 3, Page 2, Line 37

Leave out ‘(ii)’

Minister of Agriculture and Rural Development

Amendment 6 [Made]

Clause 3, Page 2, Line 37

After ‘the’ insert ‘potential adverse consequences or’

Minister of Agriculture and Rural Development

Amendment 7 [Made]

Clause 3, Page 2, Line 39

Leave out ‘matters’ and insert ‘issues’

Minister of Agriculture and Rural Development

Amendment 8 [Made]

Clause 3, Page 2, Line 39

After ‘22(3)’ insert ‘and in regulations under section 22A’

Minister of Agriculture and Rural Development

Amendment 9 [Made]

Clause 3, Page 2, Line 39

Leave out ‘risk’ and insert ‘reservoir’

Minister of Agriculture and Rural Development

Amendment 10 [Made]

Clause 3, Page 2, Line 40

Leave out from ‘, or’ to ‘section,’ on line 41 and insert ‘of section 22(3)’

Minister of Agriculture and Rural Development

Amendment 11 [Made]

Clause 8, Page 5, Line 31

Leave out ‘risk’ and insert ‘consequence’

Minister of Agriculture and Rural Development

Amendment 12 [Made]

Clause 16, Page 8, Line 24

Leave out ‘risk’ and insert ‘consequence’

Minister of Agriculture and Rural Development

Amendment 13 [Made]

Clause 17, Page 8, Line 41

Leave out ‘risk’ and insert ‘reservoir’

Minister of Agriculture and Rural Development

Amendment 14 [Made]

Clause 17, Page 9, Line 1

Leave out ‘risk’ and insert ‘reservoir’

Minister of Agriculture and Rural Development

Amendment 15 [Made]

Clause 17, Page 9, Line 3

Leave out 'risk' and insert 'consequence'

Minister of Agriculture and Rural Development

Amendment 16 [Made]

Clause 17, Page 9, Line 4

Leave out 'risk' and insert 'consequence'

Minister of Agriculture and Rural Development

Amendment 17 [Made]

Clause 17, Page 9, Line 5

Leave out 'risk' and insert 'consequence'

Minister of Agriculture and Rural Development

Amendment 18 [Made]

Clause 17, Page 9, Line 6

Leave out 'risk' and insert 'reservoir'

Minister of Agriculture and Rural Development

Amendment 19 [Made]

Clause 17, Page 9, Line 9

Leave out 'risk' and insert 'reservoir'

Minister of Agriculture and Rural Development

Amendment 20 [Made]

Clause 17, Page 9, Line 11

Leave out 'risk' and insert 'reservoir'

Minister of Agriculture and Rural Development

Amendment 21 [Made]

Clause 17, Page 9, Line 17

Leave out 'risk' and insert 'reservoir'

Minister of Agriculture and Rural Development

Amendment 22 [Made]

Clause 18, Page 9, Line 20

Leave out 'risk' and insert 'reservoir'

Minister of Agriculture and Rural Development

Amendment 23 [Made]

Clause 18, Page 9, Line 22

Leave out 'risk' and insert 'reservoir'

Minister of Agriculture and Rural Development

Amendment 24 [Made]

Clause 18, Page 9, Line 26

Leave out 'risk' and insert 'reservoir'

Minister of Agriculture and Rural Development

Amendment 25 [Made]

Clause 18, Page 9, Line 29

Leave out 'risk' and insert 'reservoir'

Minister of Agriculture and Rural Development

Amendment 26 [Made]

Clause 18, Page 10, Line 12

Leave out 'risk' and insert 'reservoir'

Minister of Agriculture and Rural Development

Amendment 27 [Made]

Clause 19, Page 10, Line 16

Leave out 'risk' and insert 'reservoir'

Minister of Agriculture and Rural Development

Amendment 28 [Made]

Clause 19, Page 10, Line 23

Leave out 'risk' and insert 'reservoir'

Minister of Agriculture and Rural Development

Amendment 29 [Made]

Clause 19, Page 10, Line 27

Leave out 'risk' and insert 'reservoir'

Minister of Agriculture and Rural Development

Amendment 30 [Made]

Clause 20, Page 10, Line 39

Leave out 'risk' and insert 'reservoir'

Minister of Agriculture and Rural Development

Amendment 31 [Made]

Clause 20, Page 11, Line 9

Leave out 'risk' and insert 'reservoir'

Minister of Agriculture and Rural Development

Amendment 32 [Made]

Clause 21, Page 11, Line 33

Leave out 'for Northern Ireland'

Minister of Agriculture and Rural Development

Amendment 33 [Made]

Clause 21, Page 11, Line 41

Leave out 'risk' and insert 'reservoir'

Minister of Agriculture and Rural Development

Amendment 34 [Made]

Clause 21, Page 12, Line 7

Leave out 'risk' and insert 'reservoir'

Minister of Agriculture and Rural Development

Amendment 35 [Made]

Clause 21, Page 12, Line 16

Leave out 'risk' and insert 'reservoir'

Minister of Agriculture and Rural Development

Amendment 36 [Made]

Clause 21, Page 12, Line 21

Leave out subsection (9)

Minister of Agriculture and Rural Development

Amendment 37 [Made]

Clause 22, Page 12, Line 35

Leave out 'For the purposes of subsection (1)(a),' and insert 'The'

Minister of Agriculture and Rural Development

Amendment 38 [Made]

Clause 22, Page 12, Line 35

After 'consequences' insert 'of an uncontrolled release of water from a controlled reservoir'

Minister of Agriculture and Rural Development

Amendment 39 [Made]

Clause 22, Page 13, Line 2

Leave out ‘The matters which’ and insert ‘Issues that’

Minister of Agriculture and Rural Development

Amendment 40 [Made]

Clause 22, Page 13, Line 3

Leave out ‘(b)’

Minister of Agriculture and Rural Development

Amendment 41 [Made]

Clause 22, Page 13, Line 3

After ‘the’ insert ‘potential adverse consequences or’

Minister of Agriculture and Rural Development

Amendment 42 [Made]

Clause 22, Page 13, Line 9

Leave out ‘matters’ and insert ‘issues’

Minister of Agriculture and Rural Development

Amendment 43 [Made]

Clause 22, Page 13, Line 9

Leave out ‘may by regulations specify’ and insert ‘considers relevant’

Minister of Agriculture and Rural Development

Amendment 44 [Made]

Clause 22, Page 13, Line 10

Leave out subsection (4)

Minister of Agriculture and Rural Development

Amendment 45 [Made]

New Clause

After clause 22 insert -

‘Matters to be taken into account under sections 17(3), 18(2), 20(3)(b)(ii) and 21(5)(a): further provision

22A.—(1) The Department may by regulations make further provision about the matters that are to be taken into account under sections 17(3), 18(2), 20(3)(b)(ii) and 21(5)(a).

(2) Without prejudice to the generality of subsection (1), the regulations may—

- (a) make further provision in relation to the matters in section 22(1),
- (b) in particular, when the Department is satisfied that an appropriate methodology exists for assessing the probability of an uncontrolled release of water from a controlled reservoir, include provision as regards the methodology that is to be taken into account in assessing such probability,
- (c) amend references in this Act to “reservoir designation”, “high-consequence reservoir”, “medium-consequence reservoir” and “low-consequence reservoir” in pursuance of the regulations,
- (d) include adaptations for the purposes of section 3(3).

(3) Before making regulations under subsection (1), the Department must consult the Institution of Civil Engineers and such other organisations or persons as it considers appropriate.’

Minister of Agriculture and Rural Development

Amendment 46 [Made]

Clause 23, Page 13, Line 16

Leave out first ‘risk’ and insert ‘consequence’

Minister of Agriculture and Rural Development

Amendment 47 [Made]

Clause 23, Page 13, Line 16

Leave out second ‘risk’ and insert ‘consequence’

Minister of Agriculture and Rural Development

Amendment 48 [Made]

Clause 23, Page 13, Line 17

Leave out ‘risk’ and insert ‘consequence’

Minister of Agriculture and Rural Development

Amendment 49 [Made]

Clause 24, Page 13, Line 23

Leave out first ‘risk’ and insert ‘consequence’

Minister of Agriculture and Rural Development

Amendment 50 [Made]

Clause 24, Page 13, Line 23

Leave out second ‘risk’ and insert ‘consequence’

Minister of Agriculture and Rural Development

Amendment 51 [Made]

Clause 24, Page 13, Line 25

Leave out first ‘risk’ and insert ‘consequence’

Minister of Agriculture and Rural Development

Amendment 52 [Made]

Clause 24, Page 13, Line 25

Leave out second ‘risk’ and insert ‘consequence’

Minister of Agriculture and Rural Development

Amendment 53 [Made]

Clause 25, Page 14, Line 3

Leave out ‘section’ and insert ‘Act’

Minister of Agriculture and Rural Development

Amendment 54 [Made]

Clause 25, Page 15, Line 5

Leave out paragraph (k)

Minister of Agriculture and Rural Development

Amendment 55 [Made]

Clause 25, Page 16, Line 15

Leave out '26' and insert '25A'

Minister of Agriculture and Rural Development

Amendment 56 [Made]

New Clause

After clause 25 insert -

'Regulations as to visits by supervising engineer

25A.—(1) The Department may by regulations make provision—

- (a) for there to be a standard frequency of visits that must be made by a supervising engineer to a high-consequence or medium-consequence reservoir,
- (b) for the standard frequency to be different according to whether or not the Department considers that a high-consequence or medium-consequence reservoir is of an acceptable standard as regards how it is being maintained,
- (c) for the Department to decide whether it considers that a high-consequence or medium-consequence reservoir is of an acceptable standard as regards how it is being maintained, taking account (as appropriate) of the following—
 - (i) whether or not a pre-commencement inspection report contains a pre-commencement safety recommendation,
 - (ii) whether or not an inspection report specifies any measure that should be taken in the interests of the safety of the reservoir or any other matter that the inspecting engineer recommends should be monitored by the supervising engineer until the next inspection of the reservoir,
 - (iii) any inspection compliance certificate,
 - (iv) any written statement by the supervising engineer under section 25(5) currently applicable and copied to the Department by virtue of section 25(6).

(2) Regulations making provision referred to in subsection (1)(c) must—

- (a) require the Department to notify the reservoir manager of a high-consequence or medium-consequence reservoir of its decision as to whether or not it considers that the reservoir is of an acceptable standard as regards how it is being maintained and accordingly the standard frequency of visits that must be made to it by the supervising engineer,
- (b) provide that the reservoir manager may appeal to the Water Appeals Commission against the decision specified in the notice,
- (c) provide that the Commission may confirm or quash the decision,
- (d) provide that the decision in respect of which an appeal is made continues to have effect pending a decision being made in the appeal.

(3) In subsection (1)(c)(ii), “the inspecting engineer” has the same meaning as in sections 33 and 34 (see section 33(6)(a)).’

Minister of Agriculture and Rural Development

Amendment 57 [Made]

Clause 28, Page 17, Line 4

Leave out first 'risk' and insert 'consequence'

Minister of Agriculture and Rural Development

Amendment 58 [Made]

Clause 28, Page 17, Line 4

Leave out second 'risk' and insert 'consequence'

Minister of Agriculture and Rural Development

Amendment 59 [Made]

Clause 28, Page 17, Line 9

Leave out 'risk' and insert 'consequence'

Minister of Agriculture and Rural Development

Amendment 60 [Made]

Clause 28, Page 17, Line 10

Leave out 'risk' and insert 'consequence'

Minister of Agriculture and Rural Development

Amendment 61 [Made]

Clause 28, Page 17, Line 11

Leave out first 'risk' and insert 'consequence'

Minister of Agriculture and Rural Development

Amendment 62 [Made]

Clause 28, Page 17, Line 11

Leave out second 'risk' and insert 'consequence'

Minister of Agriculture and Rural Development

Amendment 63 [Made]

Clause 28, Page 17, Line 17

Leave out 'risk' and insert 'consequence'

Minister of Agriculture and Rural Development

Amendment 64 [Made]

Clause 28, Page 17, Line 21

Leave out first 'risk' and insert 'consequence'

Minister of Agriculture and Rural Development

Amendment 65 [Made]

Clause 28, Page 17, Line 21

Leave out second 'risk' and insert 'consequence'

Minister of Agriculture and Rural Development

Amendment 66 [Made]

Clause 29, Page 17, Line 25

Leave out from second 'subsection' to '28(1)' on line 26 and insert 'section 28(1) does not apply'

Minister of Agriculture and Rural Development

Amendment 67 [Made]

Clause 29, Page 17, Line 27

Leave out first 'risk' and insert 'consequence'

Minister of Agriculture and Rural Development

Amendment 68 [Made]

Clause 29, Page 17, Line 27

Leave out second 'risk' and insert 'consequence'

Minister of Agriculture and Rural Development

Amendment 69 [Made]

Clause 29, Page 17, Line 35

At beginning insert ‘Where section 28(1) does not apply by virtue of subsection (1),’

Minister of Agriculture and Rural Development

Amendment 70 [Made]

Clause 29, Page 17, Line 38

Leave out from second ‘subsection’ to ‘28(1)’ on line 39 and insert ‘section 28(1) does not apply’

Minister of Agriculture and Rural Development

Amendment 71 [Made]

Clause 29, Page 17, Line 40

Leave out first ‘risk’ and insert ‘consequence’

Minister of Agriculture and Rural Development

Amendment 72 [Made]

Clause 29, Page 17, Line 40

Leave out second ‘risk’ and insert ‘consequence’

Minister of Agriculture and Rural Development

Amendment 73 [Made]

Clause 29, Page 18, Line 4

At beginning insert ‘Where section 28(1) does not apply by virtue of subsection (3)’

Minister of Agriculture and Rural Development

Amendment 74 [Made]

Clause 29, Page 18, Line 12

Leave out ‘risk’ and insert ‘consequence’

Minister of Agriculture and Rural Development

Amendment 75 [Made]

Clause 29, Page 18, Line 13

Leave out 'risk' and insert 'consequence'

Minister of Agriculture and Rural Development

Amendment 76 [Made]

Clause 30, Page 18, Line 16

Leave out 'risk' and insert 'consequence'

Minister of Agriculture and Rural Development

Amendment 77 [Made]

Clause 30, Page 18, Line 17

Leave out 'risk' and insert 'consequence'

Minister of Agriculture and Rural Development

Amendment 78 [Made]

Clause 30, Page 18, Line 21

Leave out first 'risk' and insert 'consequence'

Minister of Agriculture and Rural Development

Amendment 79 [Made]

Clause 30, Page 18, Line 21

Leave out second 'risk' and insert 'consequence'

Minister of Agriculture and Rural Development

Amendment 80 [Made]

Clause 31, Page 18, Line 34

Leave out first 'risk' and insert 'consequence'

Minister of Agriculture and Rural Development

Amendment 81 [Made]

Clause 31, Page 18, Line 34

Leave out second 'risk' and insert 'consequence'

Minister of Agriculture and Rural Development

Amendment 82 [Made]

Clause 31, Page 19, Line 14

Leave out first 'risk' and insert 'consequence'

Minister of Agriculture and Rural Development

Amendment 83 [Made]

Clause 31, Page 19, Line 14

Leave out second 'risk' and insert 'consequence'

Minister of Agriculture and Rural Development

Amendment 84 [Made]

Clause 32, Page 19, Line 28

Leave out first 'risk' and insert 'consequence'

Minister of Agriculture and Rural Development

Amendment 85 [Made]

Clause 32, Page 19, Line 28

Leave out second 'risk' and insert 'consequence'

Minister of Agriculture and Rural Development

Amendment 86 [Made]

Clause 32, Page 20, Line 7

Leave out first 'risk' and insert 'consequence'

Minister of Agriculture and Rural Development

Amendment 87 [Made]

Clause 32, Page 20, Line 7

Leave out second ‘risk’ and insert ‘consequence’

Minister of Agriculture and Rural Development

Amendment 88 [Made]

Clause 33, Page 21, Line 24

Leave out sub-paragraphs (i) and (ii) and insert ‘is required of the supervising engineer by virtue of regulations made under section 25A(1),’

Minister of Agriculture and Rural Development

Amendment 89 [Made]

Clause 35, Page 23, Line 7

Leave out first ‘risk’ and insert ‘consequence’

Minister of Agriculture and Rural Development

Amendment 90 [Made]

Clause 35, Page 23, Line 7

Leave out second ‘risk’ and insert ‘consequence’

Minister of Agriculture and Rural Development

Amendment 91 [Made]

Clause 36, Page 23, Line 37

Leave out first ‘risk’ and insert ‘consequence’

Minister of Agriculture and Rural Development

Amendment 92 [Made]

Clause 36, Page 23, Line 37

Leave out second ‘risk’ and insert ‘consequence’

Minister of Agriculture and Rural Development

Amendment 93 [Made]

Clause 36, Page 24, Line 12

Leave out paragraph (f)

Minister of Agriculture and Rural Development

Amendment 94 [Made]

Clause 36, Page 24, Line 18

Leave out first ‘risk’ and insert ‘consequence’

Minister of Agriculture and Rural Development

Amendment 95 [Made]

Clause 36, Page 24, Line 18

Leave out second ‘risk’ and insert ‘consequence’

Minister of Agriculture and Rural Development

Amendment 96 [Made]

Clause 36, Page 24, Line 36

Leave out ‘risk’ and insert ‘consequence’

Minister of Agriculture and Rural Development

Amendment 97 [Made]

Clause 36, Page 24, Line 39

Leave out ‘risk’ and insert ‘consequence’

Minister of Agriculture and Rural Development

Amendment 98 [Made]

Clause 36, Page 24, Line 41

Leave out subsection (4)

Minister of Agriculture and Rural Development

Amendment 99 [Made]

New Clause

After clause 36 insert -

‘Offence in connection with inspection: failure to secure compliance with safety direction or recommendation

36A.—(1) Failure by a reservoir manager of a high-consequence or medium-consequence reservoir without lawful excuse to comply with the requirements of section 34(1) (ensuring compliance with direction in inspection report or pre-commencement safety recommendation as to taking of measure) is an offence.

(2) A reservoir manager guilty of an offence under subsection (1)—

- (a) in relation to a controlled reservoir which is, at the time the offence is committed, a high-consequence reservoir is liable on summary conviction to a fine not exceeding level 5 on the standard scale,
- (b) in relation to a controlled reservoir which is, at the time the offence is committed, a medium-consequence reservoir is liable on summary conviction to a fine not exceeding level 4 on the standard scale.

(3) Section 70 makes provision as to further remedies available on conviction of an offence referred to in subsection (1).’

Minister of Agriculture and Rural Development

Amendment 100 [Not Called]

Clause 38, Page 25, Line 23

Leave out ‘10,000’ and insert ‘25,000’

Mr Trevor Clarke
Mr Paul Girvan

Amendment 101 [Not Called]

Clause 38, Page 25, Line 35

Leave out ‘10,000’ and insert ‘25,000’

Mr Trevor Clarke
Mr Paul Girvan

Amendment 102 [Not Called]

Clause 42, Page 28, Line 7

Leave out ‘10,000’ and insert ‘25,000’

Amendment 103 [Made]

Clause 46, Page 29, Line 40

Leave out first ‘risk’ and insert ‘consequence’

Minister of Agriculture and Rural Development

Amendment 104 [Made]

Clause 46, Page 29, Line 40

Leave out second ‘risk’ and insert ‘consequence’

Minister of Agriculture and Rural Development

Amendment 105 [Made]

Clause 46, Page 30, Line 1

Leave out first ‘risk’ and insert ‘consequence’

Minister of Agriculture and Rural Development

Amendment 106 [Made]

Clause 46, Page 30, Line 1

Leave out second ‘risk’ and insert ‘consequence’

Minister of Agriculture and Rural Development

Amendment 107 [Made]

Clause 49, Page 31, Line 19

Leave out from ‘any’ to the end of line 25 and insert ‘the requirements in section 40(2)(a) (commissioning of construction engineer) is an offence.’

Minister of Agriculture and Rural Development

Amendment 108 [Made]

Clause 49, Page 31, Line 33

Leave out ‘(a)’

Minister of Agriculture and Rural Development

Amendment 109 [Made]

Clause 49, Page 31, Line 35

Leave out ‘risk’ and insert ‘consequence’

Minister of Agriculture and Rural Development

Amendment 110 [Made]

Clause 49, Page 31, Line 39

Leave out subsections (4) and (5)

Minister of Agriculture and Rural Development

Amendment 111 [Made]

New Clause

After clause 49 insert -

‘Offences: failure to comply with safety direction in safety report, preliminary certificate or final certificate

49A.—(1) Failure by a reservoir manager of a controlled reservoir without lawful excuse to comply with any of the following requirements under this Part is an offence—

- (a) the requirements in section 43(1) (ensuring compliance with direction in safety report as to taking of safety measure),
- (b) the requirements in section 47 (ensuring compliance with preliminary certificate or final certificate).

(2) A reservoir manager guilty of an offence under subsection (1) is liable—

- (a) on conviction on indictment to imprisonment for a term not exceeding 2 years, or to a fine, or to both,
- (b) on summary conviction to imprisonment for a term not exceeding 6 months, or to a fine not exceeding the statutory maximum, or to both.

(3) Section 70 makes provision as to further remedies available on conviction of an offence referred to in subsection (1)(a).’

Minister of Agriculture and Rural Development

Amendment 112 [Made]

Clause 52, Page 33, Line 28

Leave out 'risk' and insert 'consequence'

Minister of Agriculture and Rural Development

Amendment 113 [Made]

Clause 52, Page 33, Line 37

After 'in' insert 'or relating to'

Minister of Agriculture and Rural Development

Amendment 114 [Made]

Clause 52, Page 33, Line 38

Leave out from 'direct' to second 'notice' in line 41

Minister of Agriculture and Rural Development

Amendment 115 [Made]

Clause 52, Page 33, Line 42

After 'concerned' insert 'and any other person who has prepared the incident report'

Minister of Agriculture and Rural Development

Amendment 116 [Made]

Clause 52, Page 33, Line 42

After second 'manager' insert 'and (as appropriate) the other person'

Minister of Agriculture and Rural Development

Amendment 117 [Made]

Clause 52, Page 34, Line 1

Leave out from 'a' to end of line 3 and insert 'the incident report, a copy of it or any information in or relating to it,'

Minister of Agriculture and Rural Development

Amendment 118 [Made]

Clause 52, Page 34, Line 4

Leave out ‘give access to a copy of such an incident report’ and insert ‘permit access to the incident report, a copy of it or any information in or relating to it,’

Minister of Agriculture and Rural Development

Amendment 119 [Made]

Clause 52, Page 34, Line 5

At end insert -

‘(3A) Notice under subsection (3) may also specify requirements as to the storage of the incident report and copies of it in the interests of national security.

(3B) Where notice under subsection (3) states that this subsection applies to any of the information specified in the notice (“the specified information”), the person on whom the notice is served must not give to any other person any indication of the existence of the specified information.

(3C) Any duty of a person under regulations made under subsection (1) to publish an incident report, a copy of such a report or any information in or relating to such a report does not apply to the extent that notice served on the person under subsection (3) requires the person not to do so.’

Minister of Agriculture and Rural Development

Amendment 120 [Made]

Clause 53, Page 35, Line 13

After ‘(n)’ insert ‘and subsection (3A)’

Minister of Agriculture and Rural Development

Amendment 121 [Made]

Clause 53, Page 35, Line 20

Leave out ‘risk’ and insert ‘consequence’

Minister of Agriculture and Rural Development

Amendment 122 [Made]

Clause 53, Page 35, Line 24

At end insert -

‘(3A) Regulations under subsection (1) containing provision entitling the Department to recover costs as referred to in subsection (3)(m) must provide for a right of appeal to the Water Appeals Commission against—

- (a) the Department’s decision to require the person to pay the costs,
- (b) the Department’s decision as to the amount of the costs.

(3B) The Commission may confirm, quash or vary the decision.’

Minister of Agriculture and Rural Development

Amendment 123 [Made]

Clause 53, Page 35, Line 26

After ‘in’ insert ‘or relating to’

Minister of Agriculture and Rural Development

Amendment 124 [Made]

Clause 53, Page 35, Line 27

Leave out from ‘direct’ to second ‘notice’ in line 29

Minister of Agriculture and Rural Development

Amendment 125 [Made]

Clause 53, Page 35, Line 30

After ‘concerned’ insert ‘and each other relevant person’

Minister of Agriculture and Rural Development

Amendment 126 [Made]

Clause 53, Page 35, Line 30

After second ‘manager’ insert ‘and other relevant person’

Minister of Agriculture and Rural Development

Amendment 127 [Made]

Clause 53, Page 35, Line 31

Leave out from ‘a’ to end of line 33 and insert ‘the flood plan, a copy of it or any information in or relating to it,’

Minister of Agriculture and Rural Development

Amendment 128 [Made]

Clause 53, Page 35, Line 34

Leave out ‘, or not to give access to, a copy of such a flood plan’ and insert ‘and not to permit access to the flood plan, a copy of it or any information in or relating to it,’

Minister of Agriculture and Rural Development

Amendment 129 [Made]

Clause 53, Page 35, Line 35

At end insert -

‘(4A) Notice under subsection (4) may also specify requirements as to the storage of the flood plan and copies of it in the interests of national security.

(4B) Where notice under subsection (4) states that this subsection applies to any of the information specified in the notice (“the specified information”), the person on whom the notice is served must not give to any other person any indication of the existence of the specified information.

(4C) For the purposes of subsection (4), a relevant person is a person (other than the Department)—

- (a) who is required, by virtue of regulations under subsection (1), to prepare, review or update the flood plan, provide, produce or submit it or publish or distribute copies of it,
- (b) who receives or may receive the flood plan or information in or relating to it.

(4D) Any duty of a person under regulations made under subsection (1) to publish a flood plan, a copy of such a plan or any information in or relating to such a plan does not apply to the extent that notice served on the person under subsection (4) requires the person not to do so.’

Minister of Agriculture and Rural Development

Amendment 130 [Made]

Clause 54, Page 36, Line 6

Leave out first ‘risk’ and insert ‘consequence’

Minister of Agriculture and Rural Development

Amendment 131 [Made]

Clause 54, Page 36, Line 6

Leave out second ‘risk’ and insert ‘consequence’

Minister of Agriculture and Rural Development

Amendment 132 [Made]

Clause 54, Page 36, Line 7

Leave out ‘risk’ and insert ‘consequence’

Amendment 133 [Made]

Clause 55, Page 36, Line 35

Leave out first ‘risk’ and insert ‘consequence’

Minister of Agriculture and Rural Development

Amendment 134 [Made]

Clause 55, Page 36, Line 35

Leave out second ‘risk’ and insert ‘consequence’

Minister of Agriculture and Rural Development

Amendment 135 [Made]

Clause 56, Page 37, Line 4

Leave out subsection (1)

Minister of Agriculture and Rural Development

Amendment 136 [Made]

Clause 56, Page 37, Line 10

Leave out ‘reservoir manager of a controlled reservoir’ and insert ‘person’

Minister of Agriculture and Rural Development

Amendment 137 [Made]

Clause 56, Page 37, Line 12

At end insert -

- ‘(ya) the requirements of a notice under subsection (3) of section 52 (publication etc. of incident reports and national security) or subsection (3B) of that section in so far as subsection (3B) applies in relation to the notice,
- (za) the requirements of a notice under subsection (4) of section 53 (publication etc. of flood plans and national security) or subsection (4B) of that section in so far as subsection (4B) applies in relation to the notice,’

Amendment 138 [Made]

Clause 56, Page 37, Line 15

At end insert -

‘(2A) A person does not commit an offence under subsection (2) where the person fails to comply with the requirements referred to in paragraph (ya) or (za) of that subsection in order to comply with any other duty imposed on the person by virtue of any of the following—

- (a) the Environmental Information Regulations 2004,
- (b) the Freedom of Information Act 2000,
- (c) a constable acting in the course of the constable’s duties,
- (d) an order of a court of competent jurisdiction.’

Minister of Agriculture and Rural Development

Amendment 139 [Made]

Clause 56, Page 37, Line 16

Leave out ‘reservoir manager’ and insert ‘person’

Minister of Agriculture and Rural Development

Amendment 140 [Made]

Clause 56, Page 37, Line 16

Leave out ‘(1) or’

Minister of Agriculture and Rural Development

Amendment 141 [Made]

Clause 56, Page 37, Line 18

Leave out ‘risk’ and insert ‘consequence’

Minister of Agriculture and Rural Development

Amendment 142 [Made]

Clause 65, Page 42, Line 1

Leave out subsection (4) and insert -

‘(4) If the Department considers it appropriate to do so, it may by notice served on the reservoir manager require the manager to pay the Department such amount of the costs reasonably incurred by it in pursuance of the exercise of its powers under this section as is specified in the notice.

(5) Subject to section 71A, the reservoir manager must pay the amount of any costs so incurred and specified in such notice.’

Minister of Agriculture and Rural Development

Amendment 143 [Made]

Clause 67, Page 42, Line 42

Leave out subsection (6) and insert -

‘(6) If the Department considers it appropriate to do so, it may by notice served on the reservoir manager require the manager to pay the Department such amount of the costs reasonably incurred by it in connection with consultation under this section as is specified in the notice.

(7) Subject to section 71A, the reservoir manager must pay the amount of any costs so incurred and specified in such notice.’

Minister of Agriculture and Rural Development

Amendment 144 [Made]

Clause 69, Page 43, Line 27

Leave out subsection (6) and insert -

‘(6) If the Department considers it appropriate to do so, it may by notice served on the reservoir manager require the manager to pay the Department such amount of the costs reasonably incurred by it in making arrangements under this section as is specified in the notice.

(7) Subject to section 71A, the reservoir manager must pay the amount of any costs so incurred and specified in such notice.’

Minister of Agriculture and Rural Development

Amendment 145 [Made]

Clause 71, Page 45, Line 1

Before ‘The reservoir’ insert ‘Subject to section 71A,’

Minister of Agriculture and Rural Development

Amendment 146 [Made]

New Clause

After clause 71 insert -

'Recovery of costs under section 65, 67, 69 or 71: appeal

Recovery of costs under section 65, 67, 69 or 71: appeal

71A.—(1) A reservoir manager required by virtue of notice served by the Department under section 65(4), 67(6), 69(6) or 71(7) to pay the Department's costs referred to in the section may appeal to the Water Appeals Commission against—

- (a) the Department's decision to require the manager to pay the costs,
- (b) the Department's decision as to the amount of the costs.

(2) The Commission may confirm, quash or vary the decision.'

Minister of Agriculture and Rural Development

Amendment 147 [Made]

Clause 73, Page 46, Line 10

Leave out 'for Northern Ireland'

Minister of Agriculture and Rural Development

Amendment 148 [Made]

Clause 73, Page 46, Line 23

Leave out 'for Northern Ireland'

Minister of Agriculture and Rural Development

Amendment 149 [Made]

Clause 73, Page 46, Line 32

Leave out from 'include' to 'and' on line 33 and insert -

'—

- (a) '

Minister of Agriculture and Rural Development

Amendment 150 [Made]

Clause 73, Page 46, Line 39

At end insert -

- '(b) secure that the Commission may confirm, quash or vary the decision.'

Amendment 151 [Made]

Clause 73, Page 47, Line 2

At end insert -

‘(b) secure that the Commission may confirm or quash the decision.’

Minister of Agriculture and Rural Development

Amendment 152 [Made]

Clause 73, Page 47, Line 3

Leave out subsection (6)

Minister of Agriculture and Rural Development

Amendment 153 [Made]

Clause 74, Page 47, Line 17

Leave out ‘for Northern Ireland’

Minister of Agriculture and Rural Development

Amendment 154 [Made]

Clause 74, Page 47, Line 18

Leave out ‘and provide for the powers of the Commission in an appeal’

Minister of Agriculture and Rural Development

Amendment 155 [Made]

Clause 74, Page 47, Line 21

At end insert -

‘(d) must secure that the Commission may confirm, quash or vary the decision.’

Minister of Agriculture and Rural Development

Amendment 156 [Made]

Clause 74, Page 47, Line 22

Leave out subsection (2)

Minister of Agriculture and Rural Development

Amendment 157 [Made]

Clause 77, Page 49, Line 15

Leave out ‘for Northern Ireland’

Minister of Agriculture and Rural Development

Amendment 158 [Made]

Clause 77, Page 49, Line 16

Leave out ‘and the powers of the Commission in an appeal’

Minister of Agriculture and Rural Development

Amendment 159 [Made]

Clause 77, Page 49, Line 21

At end insert -

‘(ja) for the Commission to have power to confirm or quash the decision,’

Minister of Agriculture and Rural Development

Amendment 160 [Made]

Clause 77, Page 49, Line 37

Leave out ‘risk’ and insert ‘consequence’

Minister of Agriculture and Rural Development

Amendment 161 [Made]

Clause 77, Page 50, Line 10

Leave out subsection (2)

Minister of Agriculture and Rural Development

Amendment 162 [Made]

Clause 79, Page 51, Line 16

Leave out 'for Northern Ireland'

Minister of Agriculture and Rural Development

Amendment 163 [Made]

Clause 79, Page 52, Line 9

At end insert -

'(b) secure that the Commission may confirm or quash the decision.'

Minister of Agriculture and Rural Development

Amendment 164 [Made]

Clause 79, Page 52, Line 10

Leave out subsection (7)

Minister of Agriculture and Rural Development

Amendment 165 [Made]

Clause 82, Page 53, Line 38

Leave out 'for Northern Ireland'

Minister of Agriculture and Rural Development

Amendment 166 [Made]

Clause 82, Page 54, Line 37

At end insert -

'(b) secure that the Commission may confirm or quash the decision.'

Minister of Agriculture and Rural Development

Amendment 167 [Made]

Clause 82, Page 54, Line 38

Leave out subsection (8)

Minister of Agriculture and Rural Development

Amendment 168 [Made]

Clause 84, Page 55, Line 36

Leave out ‘for Northern Ireland’

Minister of Agriculture and Rural Development

Amendment 169 [*Made*]

Clause 84, Page 56, Line 10

At end insert -

‘(b) secure that the Commission may confirm or quash the decision.’

Minister of Agriculture and Rural Development

Amendment 170 [*Made*]

Clause 84, Page 56, Line 11

Leave out subsection (6)

Minister of Agriculture and Rural Development

Amendment 171 [*Made*]

Clause 86, Page 57, Line 5

Leave out ‘for Northern Ireland’

Minister of Agriculture and Rural Development

Amendment 172 [*Made*]

Clause 86, Page 57, Line 6

Leave out from ‘and’ to ‘appeal’ on line 7

Minister of Agriculture and Rural Development

Amendment 173 [*Made*]

Clause 86, Page 57, Line 9

At end insert -

‘(b) secure that the Commission may confirm, quash or vary the decision.’

Minister of Agriculture and Rural Development

Amendment 174 [Made]

Clause 86, Page 57, Line 10

Leave out subsection (4)

Minister of Agriculture and Rural Development

Amendment 175 [Made]

Clause 88, Page 58, Line 5

Leave out ‘risk’ and insert ‘reservoir’

Minister of Agriculture and Rural Development

Amendment 176 [Made]

Clause 88, Page 58, Line 6

Leave out ‘risk’ and insert ‘reservoir’

Minister of Agriculture and Rural Development

Amendment 177 [Made]

Clause 91, Page 60, Line 2

Leave out ‘risk’ and insert ‘consequence’

Minister of Agriculture and Rural Development

Amendment 178 [Made]

Clause 92, Page 60, Line 38

Leave out from the beginning to ‘of’ and insert ‘If the Department considers it appropriate to do so it may, in the circumstances mentioned in subsection (8A), by notice served on the reservoir manager require the manager to pay the Department such amount of the following as is specified in the notice’

Minister of Agriculture and Rural Development

Amendment 179 [Made]

Clause 92, Page 61, Line 1

At beginning insert -

‘(8A) The circumstances are ’

Minister of Agriculture and Rural Development

Amendment 180 [Made]

Clause 93, Page 61, Line 17

Leave out first ‘risk’ and insert ‘consequence’

Minister of Agriculture and Rural Development

Amendment 181 [Made]

Clause 93, Page 61, Line 17

Leave out second ‘risk’ and insert ‘consequence’

Minister of Agriculture and Rural Development

Amendment 182 [Made]

Clause 95, Page 62, Line 19

Leave out ‘risk’ and insert ‘consequence’

Minister of Agriculture and Rural Development

Amendment 183 [Made]

New Clause

Before clause 104 insert -

‘Power of Water Appeals Commission to award costs in an appeal

103A.—(1) The Water Appeals Commission may make an order as to the costs of the parties to an appeal mentioned in subsection (2) and as to the parties by whom the costs are to be paid.

(2) The appeals are—

- (a) an appeal under section 21 (reservoir designation),
- (b) an appeal by virtue of regulations under section 25A(1) (decision of Department as to whether high-consequence or medium-consequence reservoir is of an acceptable standard as regards how it is being maintained: frequency of visits by supervising engineer),
- (c) an appeal by virtue of regulations under section 53(1) (cost recovery in relation to flood plan),
- (d) an appeal under section 71A (cost recovery under section 65, 67, 69 or 71),
- (e) an appeal by virtue of regulations under section 72(1) (in relation to stop notice),
- (f) an appeal by virtue of regulations under section 76(1) (in relation to enforcement undertaking),

- (g) an appeal by virtue of regulations under section 78(1) (imposition of fixed monetary penalty),
- (h) an appeal by virtue of regulations under section 81(1) (in relation to variable monetary penalty).

(3) An order made under this section has effect as if it had been made by the High Court.

(4) Without prejudice to the generality of subsection (3), the Master (Taxing Office) has the same powers and duties in relation to an order made under this section as the Master has in relation to an order made by the High Court.

(5) Proceedings before the Commission are, for the purposes of the Litigants in Person (Costs and Expenses) Act 1975, to be regarded as proceedings to which section 1(1) of that Act applies.’

Minister of Agriculture and Rural Development

Amendment 184 [Made]

New Clause

Before clause 104 insert -

‘Orders as to costs: supplementary

103B.—(1) Subsection (2) applies where all of the following apply—

(a) for the purpose of an appeal referred to in section 103A(2)—

(i) the Water Appeals Commission is required, before a decision is reached, to give any person an opportunity, or ask any person whether the person wishes, to appear before and be heard by it,

(ii) arrangements are made for a hearing to be held,

(b) the hearing does not take place,

(c) if it had taken place, the Commission would have had power to make an order under section 103A(1) requiring any party to pay any costs of any other party.

(2) The power to make such an order may be exercised, in relation to costs incurred for the purposes of the hearing, as if the hearing had taken place.’

Minister of Agriculture and Rural Development

Amendment 185 [Made]

New Clause

After clause 103 insert -

‘Fees in relation to appeals

103C. The Office of the First Minister and deputy First Minister may by regulations specify the fees to be paid to the Water Appeals Commission in connection with appeals referred to in section 103A(2).’

Minister of Agriculture and Rural Development

Amendment 186 [Made]

New Clause

After clause 104 insert -

‘National security: further provision

104A.—(1) Without prejudice to section 9(4), if it appears to the Secretary of State that any other disclosure of any information relating to a controlled reservoir would adversely affect national security, the Secretary of State may issue a notice (“a non-disclosure notice”) to the Department in relation to the information.

(2) Where a non-disclosure notice has been issued under subsection (1), the Department must not publish or disclose any of the information or require any person to do so.

(3) Where a non-disclosure notice states that this subsection applies to any of the information specified in the notice (“the specified information”), the Department must not give to any other person any indication of the existence of the specified information.

(4) Subsections (2) and (3) do not apply to the extent that they would prevent the Department from complying with any other obligation to which it is subject in pursuance of—

- (a) the Environmental Information Regulations 2004,
- (b) the Freedom of Information Act 2000,
- (c) a constable acting in the course of the constable’s duties,
- (d) an order of a court of competent jurisdiction.’

Minister of Agriculture and Rural Development

Amendment 187 [Made]

Clause 106, Page 65, Line 29

After ‘quality’ insert ‘and content’

Minister of Agriculture and Rural Development

Amendment 188 [Made]

New Clause

After clause 106 insert -

‘Publication of information as regards ranges of costs of engineers’ services

106A.—(1) The Department may publish information as regards ranges of costs of the provision of relevant services by engineers who are members of panels of reservoir engineers established under section 97.

(2) For the purposes of this section, “relevant services” are services that are provided by such engineers in pursuance of this Act or are available for such provision.’

Minister of Agriculture and Rural Development

Amendment 189 [Made]

Clause 107, Page 66, Line 16

After ‘must’ insert ‘, not later than 28 days after the resignation,’

Minister of Agriculture and Rural Development

Amendment 190 [Made]

Clause 107, Page 66, Line 16

Leave out ‘the resignation’ and insert ‘it’

Minister of Agriculture and Rural Development

Amendment 191 [Made]

Clause 107, Page 66, Line 21

Leave out subsection (3)

Minister of Agriculture and Rural Development

Amendment 192 [Made]

Clause 107, Page 66, Line 27

Leave out ‘risk’ and insert ‘consequence’

Minister of Agriculture and Rural Development

Amendment 193 [Made]

Clause 117, Page 70, Line 12

At end insert -

‘(iia) section 22A(1) (further provision about matters that are to be taken into account under sections 17(3), 18(2), 20(3)(b)(ii) and 21(5)(a)),’

Minister of Agriculture and Rural Development

Amendment 194 [Made]

Clause 117, Page 70, Line 12

At end insert -

‘(iib) section 25A(1) (regulations as to visits by supervising engineer to high-consequence or medium-consequence reservoir),’

Amendment 195 [Made]

Clause 117, Page 70, Line 28

Leave out ‘a statutory provision’ and insert ‘Northern Ireland legislation or an Act of Parliament’

Minister of Agriculture and Rural Development

Amendment 196 [Made]

Clause 118, Page 70, Line 39

At end insert -

“the Water Appeals Commission” means the Water Appeals Commission for Northern Ireland,’

Minister of Agriculture and Rural Development

Amendment 197 [Made]

Clause 120, Page 71, Line 7

After ‘on’ insert ‘the day after’

Minister of Agriculture and Rural Development

Amendment 198 [Made]

Clause 120, Page 71, Line 9

Leave out ‘116,’ and insert ‘116 to’

Minister of Agriculture and Rural Development

Amendment 199 [Made]

Clause 120, Page 71, Line 13

At end insert -

‘(2A) No order may be made under subsection (2) in respect of the following provisions unless a draft of the order has been laid before, and approved by a resolution of, the Assembly—

(a) section 24(1), (2), (4) and (5),

(b) in section 25—

(i) subsections (1) to (9),

(ii) subsection (10), for the purposes of sections 26 to 29 and 35,

- (c) sections 25A, 26 and 27,
- (d) in section 28—
 - (i) subsections (2) to (4),
 - (ii) subsection (5), in so far as it defines an “inspecting engineer” as an engineer duly commissioned under section 32 to supervise the taking of a measure referred to in section 32(1)(b),
- (e) sections 29(2) to (5),
- (f) in section 32—
 - (i) in subsection (1), paragraph (b),
 - (ii) subsection (3),
- (g) in section 33—
 - (i) subsections (2) and (3),
 - (ii) in subsection (4), paragraphs (c), (d) and (i),
 - (iii) in subsection (5), paragraph (b),
 - (iv) in subsection (6), paragraph (b),
- (h) sections 34 and 35,
- (i) in section 36(1)—
 - (i) paragraphs (a), (b), (c) and (d),
 - (ii) paragraph (e) (in relation to the requirements of section 32(1)(b)),
 - (iii) paragraph (g),
- (j) in section 36(2), paragraphs (a), (b), (d) and (e),
- (k) section 36(3), in relation to the following offences—
 - (i) an offence under section 36(1)(a), (b), (c) or (d),
 - (ii) an offence under section 36(1)(e) that is attributable to a failure to comply with the requirements of section 32(1)(b),
 - (iii) an offence under section 36(1)(g),
 - (iv) an offence under section 36(2)(a), (b), (d) or (e),
- (l) section 36A,
- (m) section 37,
- (n) in section 63(1), paragraph (a),
- (o) sections 64 and 65, in so far as they concern the commissioning of a supervising engineer,
- (p) in section 66, paragraph (a),
- (q) sections 67 to 69,
- (r) section 70, in relation to an offence under section 36A(1),
- (s) section 71A, as regards costs in relation to the commissioning of a supervising engineer under section 65 and costs under section 67 or 69,
- (t) sections 76 to 84,
- (u) section 85, in relation to the consultation required by sections 76(2), 78(2) and 81(2),
- (v) section 86, in relation to regulations under sections 76(1) and 81(1),
- (w) section 87,
- (x) section 93, in so far as it defines a “relevant engineer” as a supervising engineer (including a nominated representative of a supervising engineer under section 25(7)(a) who is acting as such in the event of the supervising engineer being unavailable),

- (y) section 95, in relation to failure to comply with the requirements of section 93 as respects a relevant engineer who is a supervising engineer (including a nominated representative of a supervising engineer under section 25(7)(a) who is acting as such in the event of the supervising engineer being unavailable),
- (z) sections 103A, 103B and 103C, in relation to—
 - (i) an appeal by virtue of regulations under section 25A(1),
 - (ii) an appeal under section 71A as regards costs in relation to the commissioning of a supervising engineer under section 65 and costs under section 67 or 69,
 - (iii) an appeal by virtue of regulations under section 76(1), 78(1) or 81(1),
- (za) section 105.’

Minister of Agriculture and Rural Development

Amendment 200 [Made]

Clause 120, Page 71, Line 16

After ‘Act’ insert ‘including, in the case of an order in respect of any provision referred to in subsection (2A), such transitional or transitory modifications of this Act as the Department considers necessary or expedient in connection with any other provisions of this Act not yet having come into operation’

Minister of Agriculture and Rural Development

Amendment 201 [Made]

New Clause

After clause 120 insert -

‘Duty to report on operation of this Act

121.—(1) The Department must, not later than three years after this Act receives Royal Assent, publish a report on the operation of this Act.

(2) The Department must lay the report before the Assembly.’

Mr Tom Elliott
Mr Robin Swann

Amendment 202 [Made]

Schedule 1, Page 72, Line 5

Leave out first ‘risk’ and insert ‘consequence’

Minister of Agriculture and Rural Development

Amendment 203 [Made]

Schedule 1, Page 72, Line 5

Leave out second 'risk' and insert 'consequence'

Minister of Agriculture and Rural Development

Amendment 204 [Made]

Schedule 1, Page 72, Line 27

Leave out first 'risk' and insert 'consequence'

Minister of Agriculture and Rural Development

Amendment 205 [Made]

Schedule 1, Page 72, Line 27

Leave out second 'risk' and insert 'consequence'

Minister of Agriculture and Rural Development

Amendment 206 [Made]

Schedule 2, Page 73, Line 24

Leave out 'risk' and insert 'consequence'

Minister of Agriculture and Rural Development

Amendment 207 [Made]

Schedule 2, Page 73, Line 31

Leave out 'risk' and insert 'consequence'

Minister of Agriculture and Rural Development

Amendment 208 [Made]

Schedule 2, Page 73, Line 32

Leave out 'risk' and insert 'consequence'

Minister of Agriculture and Rural Development

Amendment 209 [Made]

Schedule 2, Page 73, Line 37

Leave out ‘risk’ and insert ‘reservoir’

Minister of Agriculture and Rural Development

Amendment 210 [Made]

Schedule 2, Page 73, Line 47

Leave out ‘risk’ and insert ‘reservoir’

Minister of Agriculture and Rural Development

Amendment 211 [Made] -

Schedule 2, Page 74, Line 9

At end insert -

‘
the Water Appeals Commission | section 118(1)
,’

Minister of Agriculture and Rural Development

Amendment 212 [Made]

Schedule 3, Page 74, Line 15

Leave out ‘for Northern Ireland’

Minister of Agriculture and Rural Development

Amendment 213 [Made]

Schedule 3, Page 74, Line 23

Leave out ‘risk’ and insert ‘reservoir’

Minister of Agriculture and Rural Development

Amendment 214 [Made]

Schedule 3, Page 74, Line 24

At end insert -

‘(aa) an appeal (made by virtue of regulations made under section 25A(1) of that Act) against a decision as to whether a high-consequence or medium-consequence reservoir is of an

acceptable standard as regards how it is being maintained: frequency of visits by supervising engineer,

- (ab) an appeal (made by virtue of regulations made under section 53(1) of that Act) against a decision as to recovery of costs in relation to a flood plan,
- (ac) an appeal (under section 71A of that Act) against a decision as to recovery of costs under section 65, 67, 69 or 71 of that Act,'

Minister of Agriculture and Rural Development