

EXPLANATORY MEMORANDUM TO
The Reservoirs (Commissioning of Panel Engineers) Order (Northern Ireland)
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20 No.*****

1. Introduction

- 1.1. This Explanatory Memorandum has been prepared by the Department for Infrastructure to accompany the Statutory Rule (details above) which is laid before the Northern Ireland Assembly.
- 1.2. The Statutory Rule is made under section 102(1)(c) of the Reservoirs Act (Northern Ireland) 2015 ("the Act") and is subject to the negative resolution procedure.

2. Purpose

- 2.1. The purpose of this Order is to provide the sections of the Act under which members of each of the Panels of Engineers established by the Department may be commissioned by reservoir managers to undertake a particular function as required by the Act.

3. Background

- 3.1. The Act received Royal Assent in July 2015. The purpose of the Act is to introduce a proportionate regulatory framework for the management and maintenance of reservoirs capable of holding 10,000 cubic metres or more of water, in order to protect people, the economy, the environment and cultural heritage from the risk of flooding due to dam failure. These reservoirs are known as controlled reservoirs.
- 3.2. The Act requires the Department to make a number of Regulations and Orders to introduce key provisions of the Act and which set out in more detail the procedures for reservoir managers to enable them to comply with the Act. This Order includes the provisions as below.
- 3.3. Article 2 sets out details on members of the All Reservoirs (Northern Ireland) Panel's roles/responsibilities and how they may be commissioned.
- 3.4. Article 3 sets out details on how members of the Non-impounding Reservoirs (Northern Ireland) Panel may be commissioned.
- 3.5. Article 4 sets out details on how members of the Service Reservoirs (Northern Ireland) Panel may be commissioned.
- 3.6. Article 5 details how members of the Supervising Engineers (Northern Ireland) Panel may be commissioned.
- 3.7. The panels of engineers referred to in the Order were established under section 102(1)(a) by the Department.

4. Consultation

- 4.1. The proposals have been subject to a targeted consultation with the relevant key stakeholders and their views, where relevant, have been taken into account in the making of the Order.

5. Equality Impact

- 5.1. Consideration was given to compliance with section 75 of the Northern Ireland Act 1998. A screening exercise has been undertaken and it is considered that a full Equality Impact Assessment is not required. No significant impacts on any section 75 groups were identified.

6. Regulatory Impact

- 6.1. This Order does not introduce or amend any policy therefore the Department screened out the need for a Regulatory Impact Assessment.

7. Financial Implications

- 7.1. This Order does not introduce new or amend any policy and therefore there is no additional financial implications arising from this Order than was identified during the introduction of the primary legislation.

8. Section 24 of the Northern Ireland Act 1998

- 8.1. This Statutory Rule complies with the provisions set out in section 24 of the Northern Ireland Act 1998.

9. EU Implications

- 9.1. Not applicable.

10. Parity or Replicatory Measure

- 10.1. This is not a Parity or Replicatory measure.

11. Additional Information

- 11.1. Not applicable.