

Sixth Report  
of the  
Examiner of Statutory Rules

during the suspension of  
the Northern Ireland Assembly  
from 15 October 2002 until its dissolution  
(while still suspended) on 28 April 2003;  
and from its election (while still suspended)  
on 26 November 2003

16 June 2006

BELFAST: The Stationery Office  
£5.50

## Terms of reference

1. I make this report to the Secretary of State for Northern Ireland under the authority of directions given by the Secretary of State on 13 November 2002 to continue the technical scrutiny during the suspension of the Northern Ireland Assembly under the Northern Ireland Act 2000 (which took effect from 15 October 2002) and to report to the Secretary of State from time to time. My terms of reference expressly refer to statutory rules subject to negative resolution or confirmatory procedure; statutory rules subject to affirmative resolution and statutory rules subject to approval in draft by a resolution of the Assembly are in effect translated by the provisions of the 2000 Act into statutory rules subject to annulment in pursuance of a resolution of either House of Parliament (and as such come under the scrutiny of the Joint Committee on Statutory Instruments at Westminster).
2. Technical scrutiny is a convenient shorthand expression intended to cover the matters set out in Assembly Standing Order 41(6) under which I operate when assisting the Assembly and its Committees in the scrutiny of statutory rules and draft rules laid before it. Standing Order 41(6) is in the following terms—

“(6) In scrutinising an instrument the appropriate Committee [in practice the Examiner of Statutory Rules under delegations from the Committees under Standing Order 41(4)(b) — words added by the Examiner] shall inter alia consider the instrument with a view to determining and reporting on whether it requires to be drawn to the special attention of the Assembly on any of the following grounds, namely, that:

- (a) it imposes a charge on the public revenues or prescribes the amount of any such charge;
- (b) it contains provisions requiring any payment to be made to any Northern Ireland department or public body in respect of any approval, authorisation, licence or consent or of any service provided or to be provided by that department or body or prescribes the amount of any such payment;
- (c) the parent legislation excludes it from challenge in the courts;
- (d) it purports to have retrospective effect where the parent legislation confers no express authority so to provide;
- (e) there appears to have been an unjustifiable delay in the publication of it or in the laying of it before the Assembly;
- (f) there appears to be a doubt whether it is intra vires or it appears to make some unusual or unexpected use of the powers conferred by the parent legislation;
- (g) it calls for elucidation;
- (h) it appears to have defects in its drafting;

or on any other ground which does not impinge on its merits or the policy behind it.”

## Statutory rules covered by this report

3. This report covers statutory rules laid before the Northern Ireland Assembly between October 2005 and April 2006 (while the Assembly remains suspended).

## The “twenty-one day rule” and related matters

4. I have adopted the same approach to the twenty-one day rule as I adopted in my Third Report during suspension. I said there:

“I do not draw attention in this report to any individual statutory rules on the ground that they have breached the so-called “21-day rule” (that is to say, the rule of practice applied to statutory rules subject to negative resolution whereby the rule-making authority should allow at least 21 days between the laying of a statutory rule and its coming into operation). I have taken the view that that rule is a rule of practice applied by active legislatures in their scrutiny of subordinate legislation and has little or no application during the prolonged suspension of the Assembly. Having said that, it is of course good practice for Departments to adhere to the rule as far as possible: for one thing, the 21-day rule will again assume much greater significance when the Assembly is once more fully functioning. I regard this as a temporary arrangement and will keep it under review.”

### General points to note

5. Before drawing attention to particular statutory rules, I consider that it might be useful to mention several points in a general way. These points have come to my attention from time to time.

#### **Recitals of powers: modernisation**

6. I remind Departments of the guidance on the drafting of recitals of powers and preambles set out in *Statutory Instrument Practice* (circular No. 4 (05) as endorsed for Northern Ireland in the guidance issued to Departments by the Legislation Progress Unit of the Office of the First Minister and deputy First Minister.

#### **Drafting long and complex sentences: paragraphing**

7. I emphasise that the essential meaning of a provision can be affected by layout and punctuation. And of course, so too can clarity, which is not unrelated. Consideration should be given to the layout and punctuation of long and complex legislative sentences. I refer to an example from Scotland in the 48th Report 2005 of the Scottish Parliament’s Subordinate Legislation Committee on Article 7(3) of the Plant Health (Scotland) Order 2005 (S.S.I. 2005/613)<sup>1</sup>; a similar provision was enacted for Northern Ireland (in S.R. 2006/82) but, based on my observations in light of the Scottish report, the Department amended the provision in question, when a suitable opportunity arose, in S.R. 2006/165<sup>2</sup>. In the case of the Scottish instrument, the

---

<sup>1</sup> Article 7(3) of the Scottish instrument is in the following terms:

“(3) Where relevant material consigned to Scotland via any third country by way of transit has or may have been exposed to infection or contamination by any plant pest, no longer remains the same material specified in the phytosanitary certificate which accompanies it or has been processed so as to change its nature, the phytosanitary certificate required to accompany it shall be issued in the country of transit.”

<sup>2</sup> The revised provision for Northern Ireland is in the following terms:

“(3) Where relevant material consigned to Northern Ireland via any third country by way of transit—

(a) has or may have been exposed to infection or contamination by any plant pest;

Subordinate Legislation Committee queried whether something was missing from Article 7(3). The Scottish Executive, in response, explained the working of the provision by reference to three alternative propositions set out in bullet points, which seemed to readily translate themselves into sub-paragraphs. The Scottish Executive contended that the drafting was clear but the Subordinate Legislation Committee did not agree; and I respectfully concur with the Subordinate Legislation Committee's view.

### **Substituting provisions**

8. I mention two points about the drafting of substituting provisions.
9. First, when substituting a provision that has a heading (for example, a whole regulation or a paragraph (in a Schedule) that bears a heading), the proper drafting practice is to include the heading in the substituted text. It is clearly desirable that this practice be applied consistently.
10. Second, I mention by way of reminder the subtle differences between “substitute” and “replace”, and commend reference to *the Complete Plain Words* (Sir Ernest Gowers) and *Fowler's Modern English Usage*: for example, for A substitute B *or* B is substituted for A; on the other hand, replace A with B *or* A is replaced by B. (A recent incorrect application of this reads: “Substitute paragraph 12 with the following—”; that should have read *either* “For paragraph 12 substitute the following” *or* “Replace paragraph 12 with the following”.)

### **Statutory rules to which attention is drawn in this report**

THE FEED (HYGIENE AND ENFORCEMENT) REGULATIONS  
(NORTHERN IRELAND) 2005 (S.R. 2005/546)

THE FOOD HYGIENE REGULATIONS (NORTHERN IRELAND)  
2006 (S.R. 2006/3)

11. **I draw attention to the Feed (Hygiene and Enforcement) Regulations (Northern Ireland) 2005 (S.R. 2005/546) and to the Food Hygiene Regulations (Northern Ireland) 2006 (S.R. 2006/3) on the ground that they are both defectively drafted in one respect, acknowledged by the Food Standards Agency.** In both cases appeals are expressed to be from a “court of summary jurisdiction” to a county court, whereas in some cases the appeals seem to be capable of being from a “magistrates’ court” (the wider term in the legislative framework set out in the Magistrates’ Courts

---

(b) no longer remains the same material specified in the phytosanitary certificate which accompanies it; or

(c) has been processed so as to change its nature,

the phytosanitary certificate required to accompany it shall be issued in the country of transit.”.

(Northern Ireland) Order 1981: see Article 2(2) of that Order). The Department intends to amend this accordingly, but it seems to me that the appeal provision in each case (that is to say, regulation 19 of the Food (Hygiene and Enforcement) Regulations and regulation 20 of the Food Hygiene Regulations) is unnecessary: there are general rights of appeal from a magistrates' court (note the use of the wider term) to a county court in Articles 140 (appeals against conviction and sentence) and 143 (appeals in other cases) of the Magistrates' Courts (Northern Ireland) Order 1981; and those general rights of appeal would seem to be sufficient for the purposes of the Regulations. **I report accordingly.**

12. As a minor point, I mention that the Regulations use the expression "sworn information". The Department acknowledges that this should have been "sworn complaint" (the more appropriate terminology for Northern Ireland). I take the opportunity to remind Departments of this terminology (and also the alternative formulation "complaint on oath").
13. I also take the opportunity to remind Departments of the transfer of functions from justices of the peace to lay magistrates, to which I referred in my Fifth Report, and I am happy to note that the Food Standards Agency has correctly conferred the function on lay magistrates in these Regulations.

THE HEALTH AND PERSONAL SOCIAL SERVICES (SUPERANNUATION  
SCHEME AND INJURY BENEFITS) (AMENDMENT) REGULATIONS  
(NORTHERN IRELAND) 2005 (S.R. 2005/565)

14. **I draw attention to the Health and Personal Social Services (Superannuation Scheme and Injury Benefits) (Amendment) Regulations (Northern Ireland) 2005 (S.R. 2005/565) on the ground that they are defectively drafted in one respect, acknowledged by the Department of Health, Social Services and Public Safety.** I queried the word "not" in new paragraph 10(3)(b) of Schedule 2 to the Health and Personal Social Services (Superannuation) Regulations (Northern Ireland) 1995 as substituted by regulation 12; clearly there was intended to be a contrast with new paragraph 10(3)(a), which provision also used the word "not". I was fortified in that view by a subsequent comparison with the text of the corresponding provision for England in S.I. 2005/661. The Department intends to include an amendment correcting this in further Regulations. **I report accordingly.**

THE DISEASES OF ANIMALS (AMENDMENT) REGULATIONS  
(NORTHERN IRELAND) 2006 (S.R. 2006/41)

THE FOOT-AND-MOUTH DISEASE REGULATIONS  
(NORTHERN IRELAND) 2006 (S.R. 2006/42)

THE FOOT-AND-MOUTH DISEASE (CONTROL OF VACCINATION)  
REGULATIONS (NORTHERN IRELAND) 2006 (S.R. 2006/43)

15. **I draw attention to the Diseases of Animals (Amendment) Regulations (Northern Ireland) 2006 (S.R. 2006/41), the Foot-and-Mouth Disease Regulations (Northern Ireland) 2006 (S.R. 2006/42) ("the Foot-and-Mouth Disease Regulations") and the Foot-and-Mouth Disease (Control of Vaccination) Regulations (Northern**

**Ireland) 2006 (S.R. 2006/43) on the ground that they do not follow conventional drafting practice for Regulations made under section 2(2) of the European Communities Act 1972 in that they do not cite the relevant Designation Order, acknowledged by the Department of Agriculture and Rural Development.**

16. The Department has explained that in following the guidelines for revised drafting as set out in *Statutory Instrument Practice* (see paragraph 6, above), the reference to the Designation Order was omitted. **I report accordingly.**
17. **I also draw attention to the Foot-and-Mouth Disease Regulations on the ground that they also contain several minor drafting defects, acknowledged by the Department.** In regulation 7, “under this Order” should read “under these Regulations”; in regulation 7(3)(a) “2006” should appear in the title of the first Regulations cited there; and in regulation 23(2), “Subject to paragraph (5)” should read “Subject to paragraph (3)”. The Department regrets these small errors. I agree with its view that they are of a nature that does not necessitate early amendment for that purpose alone; but the Department has indicated its intention to include correcting amendments when the opportunity arises.
18. **I report accordingly.**

ENVIRONMENTAL IMPACT ASSESSMENT (UNCULTIVATED  
LAND AND SEMI-NATURAL AREAS) REGULATIONS  
(NORTHERN IRELAND) 2006 (S.R. 2006/90)

19. **I draw attention to the Environmental Impact Assessment (Uncultivated Land and Semi-Natural Areas) Regulations (Northern Ireland) 2006 (S.R. 2006/90) on the ground that they are defectively drafted in one respect, acknowledged by the Department of Agriculture and Rural Development.**
20. Regulation 23(1) sets out an offence, namely, contravening a stop notice that has been served on the defendant; and accordingly, service of the stop notice is an essential element of the offence for the prosecution to prove. Regulation 23(5), on the other hand, contains a defence in terms that it is for the defendant to prove, inter alia, that the stop notice was not served on him. Those two propositions are plainly contradictory. The Department has accepted that point and intends to make early amendments. **I report accordingly.**

THE SERVICE PROVISION CHANGE (PROTECTION OF EMPLOYMENT)  
REGULATIONS (NORTHERN IRELAND) 2006 (S.R. 2006/177)

21. **I draw attention to the Service Provision Change (Protection of Employment) Regulations (Northern Ireland) 2006 (S.R. 2006/177) on the ground that they are defectively drafted in two minor respects.**
22. First, in regulation 17 “Employers’ Liability (Defective Equipment and Compulsory Insurance) Act (Northern Ireland) 1972” should read “Employer’s Liability (Defective Equipment and Compulsory Insurance) Act (Northern Ireland) 1972” (note the position of the apostrophe) to faithfully reflect the title of the Northern Ireland legislation in question; whereas the corresponding legislation for Great Britain

has the apostrophe after the s (“Employers’ ”). This is a very minor error and I am of the view that it does not call for an amendment for that purpose alone, although, plainly, it would be better if it were corrected at a suitable opportunity.

23. And, second, in paragraph 2 of Schedule 1 (consequential amendment of the Employment Rights (Northern Ireland) Order 1996), “(Northern Ireland)” is missing from the title of these Regulations in contrast to the amendment made by paragraph 1 of Schedule 1 (consequential amendment of the Industrial Tribunals (Northern Ireland) Order 1996). Because this minor error appears on the face of primary legislation, the Department should perhaps consider how a suitable correction is to be made; again, it would be better to correct the provision at a suitable opportunity.
24. **I report accordingly.**

THE SEED POTATOES (TUBER INSPECTION FEES) REGULATIONS  
(NORTHERN IRELAND) 2006 (S.R. 2006/187)

25. **I draw attention to the Seed Potatoes (Tuber Inspection Fees) Regulations (Northern Ireland) 2006 (S.R. 2006/187) on the ground that they are defectively drafted one respect, acknowledged in effect by the Department of Agriculture and Rural Development.** There is a definition of “official document” in regulation 1(2), which definition seems to be out of place because the expression is not used in the Seed Potatoes Regulations (Northern Ireland) 2001. This seems to be a hangover from earlier Regulations, which were superseded by the 2001 Regulations, although it seems that the expression has some significance at an administrative level even if it is not used in relevant legislation. The Department is considering the point, but it seems to me that if the expression “official document” is used in these Regulations then it must be capable of being defined in some meaningful way by reference to something. **I report accordingly.**

THE GANGMASTERS (APPEALS) REGULATIONS  
(NORTHERN IRELAND) 2006 (S.R. 2006/189)

26. **I draw attention to the Gangmasters (Appeals) Regulations (Northern Ireland) 2006 (S.R. 2006/189) on the ground that they are defectively drafted as respects the references to industrial tribunal chairmen in regulation 3(1):** the Regulations contain an erroneous reference to “Employment Tribunal Chairmen” following the terminology for Great Britain; and the citation of Regulations in respect of the composition and rules of procedure of industrial tribunals is not up-to-date. But I am pleased to report that the Department of Agriculture and Rural Development has noted this point and has amended the erroneous references in S.R. 2006/235. **I report accordingly.**

*W G Nabney*  
**Examiner of Statutory Rules**  
16 June 2006

## APPENDIX

*(Special attention is drawn to those statutory rules marked in bold type)*

- The Traffic Signs (Amendment) Regulations (Northern Ireland) 2005 (S.R. 2005/428)
- The Education (Student Loans) (Amendment) (No. 2) Regulations (Northern Ireland) 2005 (S.R. 2005/435)
- The Transmissible Spongiform Encephalopathy (Amendment No. 3) Regulations (Northern Ireland) 2005 (S.R. 2005/436)
- The Smoke Control (Exempted Fireplaces) (Amendment) Regulations (Northern Ireland) 2005 (S.R. 2005/437)
- The William Street South, Belfast (Abandonment) Order (Northern Ireland) 2005 (S.R. 2005/438)
- The Bovine Products (Restriction on Placing on the Market) Regulations (Northern Ireland) 2005 (S.R. 2005/439)
- The Tryptophan in Food Regulations (Northern Ireland) 2005 (S.R. 2005/440)
- The Passenger and Goods Vehicles (Amendment No. 2) Regulations (Northern Ireland) 2005 (S.R. 2005/441)
- The Pensions Ombudsman (Disclosure of Information) (Amendment of Specified Persons) Order (Northern Ireland) 2005 (S.R. 2005/442)
- The Social Security (Work Focused Interviews Amendment) Regulations (Northern Ireland) 2005 (S.R. 2005/443)
- The Housing Benefit (Miscellaneous Amendments No. 3) Regulations (Northern Ireland) 2005 (S.R. 2005/444)
- The Education (Student Support) (2005 Regulations) (Amendment) Regulations (Northern Ireland) 2005 (S.R. 2005/445)
- The Animals and Animal Products (Import and Export) (Amendment) Regulations (Northern Ireland) 2005 (S.R. 2005/446)
- The Social Fund (Cold Weather Payments) (General) (Amendment) Regulations (Northern Ireland) 2005 (S.R. 2005/447)
- The Beef Labelling (Enforcement) (Amendment) Regulations (Northern Ireland) 2005 (S.R. 2005/450)
- Animals and Animal Products (Examination for Residues and Maximum Residue Limits) (Amendment) Regulations (Northern Ireland) 2005 (S.R. 2005/451)
- The Sea Fishing (Enforcement of Community Satellite Monitoring Measures) Order (Northern Ireland) 2005 (S.R. 2005/452)
- The Ballymore Road, Tandragee (Stopping Up) Order (Northern Ireland) 2005 (S.R. 2005/453)
- The Pollution Prevention and Control (Amendment) (No. 3) Regulations (Northern Ireland) 2005 (S.R. 2005/454)
- The Regulation and Improvement Authority (Inspection of Children, Records and Schools) Regulations (Northern Ireland) 2005 (S.R. 2005/455)



Eel Fishing (Licence Duties) Regulations (Northern Ireland) 2005 (S.R. 2005/456)

The Banbridge By-Pass, Route A1 (Abandonment) Order (Northern Ireland) 2005 (S.R. 2005/457)

The Social Security (Residential Care homes, Nursing Homes and Independent Hospitals) Regulations (Northern Ireland) 2005 (S.R. 2005/458)

The Housing Benefit (General) (Amendment No. 2) Regulations (Northern Ireland) 2005 (S.R. 2005/459)

The Potatoes Originating in Egypt (Amendment) Regulations (Northern Ireland) 2005 (S.R. 2005/460)

The Hazardous Waste (Amendment) Regulations (Northern Ireland) 2005 (S.R. 2005/461)

The List of Wastes (Amendment) Regulations (Northern Ireland) 2005 (S.R. 2005/462)

The Chemicals (Hazard information and Packaging for Supply) (Amendment) Regulations (Northern Ireland) 2005 (S.R. 2005/463)

The Student Awards (Amendment) Regulations (Northern Ireland) 2005 (S.R. 2005/466)

The Protected Rights (Transfer Payment) (Amendment) Regulations (Northern Ireland) 2005 (S.R. 2005/467)

The Agriculture (Weather Aid 2002) Scheme (Northern Ireland) 2005 (S.R. 2005/468)

The Bell's Hill, Limavady (Footpath) (Abandonment) Order (Northern Ireland) 2005 (S.R. 2005/470)

Measuring Equipment (Liquid Fuel and Lubricants) (Amendment) Regulations (Northern Ireland) 2005 (S.R. 2005/472)

The Food Labelling (Amendment No. 2) Regulations (Northern Ireland) 2005 (S.R. 2005/475)

The Civil partnership Regulations (Northern Ireland) 2005 (S.R. 2005/482)

The Avian Influenza (Preventive Measures) Regulations (Northern Ireland) 2005 (S.R. 2005/485)

The Avian Influenza (Preventive Measures in Zoos) Regulations (Northern Ireland) 2005 (S.R. 2005/486)

The Traffic Signs (Amendment No. 2) Regulations (Northern Ireland) 2005 (S.R. 2005/487)

The New Row West, Coleraine (Abandonment) Order (Northern Ireland) 2005 (S.R. 2005/491)

The Ashcroft Place, Londonderry (Abandonment) Order (Northern Ireland) 2005 (S.R. 2005/492)

The Housing Benefit (Miscellaneous Amendments No. 4) Regulations (Northern Ireland) 2005 (S.R. 2005/493)

The Teachers' Superannuation (Amendment) Regulations (Northern Ireland) 2005 (S.R. 2005/495)

The Social Security (Inherited SERPS) (Amendments relating to Civil Partnership) Regulations (Northern Ireland) 2005 (S.R. 2005/496)

The Planning (Fees) (Amendment) Regulations (Northern Ireland) 2005 (S.R. 2005/505)

The Social Fund Maternity and Funeral Expenses (General) Regulations (Northern Ireland) 2005 (S.R. 2005/506)

The Occupational and Personal Pension Schemes (Civil Partnership) (Miscellaneous Amendments) Regulations (Northern Ireland) 2005 (S.R. 2005/507)

The Cuscum Road, A1 Banbridge By-Pass and Newry Road, Banbridge (Abandonment and Stopping Up) Order (Northern Ireland) 2005 (S.R. 2005/508)

The Occupational Pensions (Revaluation) (Miscellaneous Amendments) Order (Northern Ireland) 2005 (S.R. 2005/509)

The Steelstown Road, Londonderry (Abandonment) Order (Northern Ireland) 2005 (S.R. 2005/512)

The State Pension Credit (Amendment) Regulations (Northern Ireland) 2005 (S.R. 2005/513)

The Bovine Products (Restriction on Placing on the Market) (No. 2) Regulations (Northern Ireland) 2005 (S.R. 2005/515)

The Welfare Foods (Amendment No. 2) Regulations (Northern Ireland) 2005(S.R. 2005/519)

The Civil Partnership Act 2004 (Amendments to Subordinate Legislation) Order (Northern Ireland) 2005 (S.R. 2005/520)

The Health and Safety (Fees) Regulations (Northern Ireland) 2005 (S.R. 2005/523)

The Fishery Products (Official Controls Charges) Regulations (Northern Ireland) 2005 (S.R. 2005/524)

The Civil Partnership Act 2004 (Amendments to Subordinate Legislation) (No. 2) Order (Northern Ireland) 2005 (S.R. 2005/520)

Fair Employment (Specification of Public Authorities) (Amendment) Order (Northern Ireland) 2005 (S.R. 2005/525)

Plant Protection Products Regulations (Northern Ireland) 2005 (S.R. 2005/526)

The Lisburn North Feeder (Abandonment and Stopping Up) Order (Northern Ireland) 2005 (S.R. 2005/527)

The Pond Park, Lisburn (Stopping Up) Order (Northern Ireland) 2005 (S.R. 2005/528)

The Derriaghy Road, Lisburn (Stopping Up) Order (Northern Ireland) 2005 (S.R. 2005/529)

The Civil Partnership (Treatment of Overseas Relationships) Order (Northern Ireland) 2005 (S.R. 2005/531)

The Civil Partnership (Amendments to Subordinate Legislation) (No. 2) Order (Northern Ireland) 2005 (S.R. 2005/532)

The Health and Personal Social Services Superannuation Scheme, Injury Benefits Additional Voluntary Contributions and Compensation for Premature Retirement (Civil Partnership) (Amendment) Regulations (Northern Ireland) 2005 (S.R. 2005/533)

The Health and Personal Social Services (Superannuation) (Amendment No. 2) Regulations (Northern Ireland) 2005 (S.R. 2005/534)

The Civil Partnership (Pensions, Social Security and Child Support) (Consequential, etc. Provisions) Order (Northern Ireland) 2005 (S.R. 2005/536)

The Railways Infrastructure (Access, Management and Licensing of Railway Undertakings) Regulations (Northern Ireland) 2005 (S.R. 2005/537)

The Contaminants in Food Regulations (Northern Ireland) 2005 (S.R. 2005/538)

The Social Security (Civil Partnership) (Consequential Amendments) Regulations (Northern Ireland) 2005 (S.R. 2005/539)

The Financial Assistance for Young Farmers Scheme (Amendment) Order (Northern Ireland) 2005

(S.R. 2005/540)

The Social Security (Retirement Pensions and Graduated Retirement Benefit) (Widowers and Civil Partnership) Regulations (Northern Ireland) 2005 (S.R. 2005/541)

The Civil Partnership Act 2004 (Relationships Arising through Civil Partnership) Order (Northern Ireland) 2005 (S.R. 2005/542)

The Social Security (Reciprocal Agreements) Order (Northern Ireland) 2005 (S.R. 2005/544)

The Feeding Stuffs Regulations (Northern Ireland) 2005 (S.R. 2005/545)

**The Feed (Hygiene and Enforcement) Regulations (Northern Ireland) 2005 (S.R. 2005/546)**

The Fisheries (Amendment) Byelaws (Northern Ireland) 2005(S.R. 2005/548)

The Meat (Official Controls Charges) Regulations (Northern Ireland) 2005 (S.R. 2005/549)

The Income-related Benefits (Amendment No. 2) Regulations (Northern Ireland) 2005 (S.R. 2005/550)

Provision of Health Services to Parsons not Ordinarily Resident Regulations (Northern Ireland) 2005 (S.R. 2005/551)

Non-Domestic Rating (Hardship Relief) Regulations (Northern Ireland) 2005(S.R. 2005/552)

Rates (Amendment) Regulations (Northern Ireland) 2005 (S.R. 2005/553)

The Products of Animal Origin (Third Country Imports) (Amendment) Regulations (Northern Ireland) 2005 (S.R. 2005/554)

Meat (Examinations for Residues) (Charges) Regulations (Northern Ireland) 2005 (S.R. 2005/556)

Foyle Area and Carlingford Area (Licensing of Fishing Engines) (Amendment) Regulations (Northern Ireland) 2005 (S.R. 2005/562)

The Comber Road, Hillsborough (Stopping Up) Order (Northern Ireland) 2005 (S.R. 2005/563)

The Misuse of Drugs and the Misuse of Drugs (Notification of and Supply to Addicts) (Amendment) Regulations (Northern Ireland) 2005 (S.R. 2005/564)

**The Health and Personal Social Services (Superannuation Scheme and Injury Benefits) (Amendment) Regulations (Northern Ireland) 2005 (S.R. 2005/565)**

The Occupational Pension Schemes (Internal Controls) Regulations (Northern Ireland) 2005 (S.R. 2005/567)

The Occupational Pension Schemes (Scheme Funding) Regulations (Northern Ireland) 2005 (S.R. 2005/568)

The Occupational Pension Schemes (Investment) Regulations (Northern Ireland) 2005 (S.R. 2005/569)

The Occupational Pension Schemes (Regulatory Own Funds) Regulations (Northern Ireland) 2005 (S.R. 2005/570)

Trunk Road T4 (Beech Hill to Cloghogue) Order (Northern Ireland) 2005 (S.R. 2005/572)

The Official Feed and Food Controls Regulations (Northern Ireland) 2005 (S.R. 2005/574)

Industrial Tribunals (Constitution and Rules of Procedure) (Amendment) (No. 2) Regulations (Northern Ireland) 2005 (S.R. 2005/578)

Fair Employment Tribunal (Rules of Procedure) (Amendment) Regulations (Northern Ireland) 2005 (S.R. 2005/579)

The Social Security (Hospital In-Patients) Regulations (Northern Ireland) 2005 (S.R. 2005/580)

The Occupational Pension Schemes (Cross-Border Activities) Regulations (Northern Ireland) 2005 (S.R. 2005/581)

The Social Security (Payments on account, Overpayments and Recovery) (Amendment) Regulations (Northern Ireland) 2005 (S.R. 2005/582)

The Salmonella in Broiler Flocks (Survey Powers) Regulations (Northern Ireland) 2005 (S.R. 2005/584)

The Older Cattle (Disposal) Regulations (Northern Ireland) 2005 (S.R. 2005/586)

Dogs (Licensing and Identification) (Amendment) Regulations (Northern Ireland) 2005 (S.R. 2005/587)

The Landfill Allowances Scheme (Amendment) Regulations (Northern Ireland) 2005 (S.R. 2005/588)

Fire Services (Appointments and Promotions) (Revocation) Regulations (Northern Ireland) 2005 (S.R. 2005/590)

The Control of Noise at Work Regulations (Northern Ireland) 2006 (S.R. 2006/1)

The Official Feed and Food Controls Regulations (Northern Ireland) 2006 (S.R. 2006/2)

**The Food Hygiene Regulations (Northern Ireland) 2006 (S.R. 2006/3)**

The Occupational Pension Schemes (Consultation by Employers) (Modifications for Multi-employer Schemes) Regulations (Northern Ireland) 2005 (S.R. 2006/4)

Local Government Pension Scheme (Civil Partnership) (Amendment) Regulations (Northern Ireland) 2005 (S.R. 2006/6)

The Weighing Equipment (Non-automatic Weighing Machines) Regulations (Northern Ireland) 2005 (S.R. 2006/8)

The Hulls Lane, Lisburn (Abandonment) Order (Northern Ireland) 2006 (S.R. 2006/8)

The Donegall Quay, Belfast (Abandonment) Order (Northern Ireland) 2006 (S.R. 2006/9)

The Feeding Stuffs and the Feeding Stuffs (Sampling and Analysis) (Amendment) Regulations (Northern Ireland) 2006 (S.R. 2006/18)

The Personal Pension Schemes (Appropriate Schemes) (Amendment) Regulations (Northern Ireland) 2006 (S.R. 2006/20)

The Insolvency (2005 Order) (Transitional Provisions and Savings) Order (Northern Ireland) 2006 (S.R. 2006/22)

The Insolvency (Northern Ireland) Order 1989 (Prescribed Part) Order (Northern Ireland) 2006 (S.R. 2006/25)

The Education (Student Loans) (Repayment) (Amendment) Regulations (Northern Ireland) 2006 (S.R. 2006/20)

The Clanconnel Gardens (Waringstown) (Footpaths) (Abandonment) Order (Northern Ireland) 2006 (S.R. 2006/29)

The Motor Vehicles (Construction and Use) (Amendment) Regulations (Northern Ireland) 2006 (S.R. 2006/32)

The Insolvency Practitioners Regulations (Northern Ireland) 2006 (S.R. 2006/33)

Drainage (Environmental Impact Assessment) Regulations (Northern Ireland) 2006 (S.R. 2006/34)

Measuring Instruments (EEC Requirement) (Verification Fees) Regulations (Northern Ireland) 2006 (S.R. 2006/35)

Weights and Measures (Passed as Fit for Use in Trade and Adjustment Fees) Regulations (Northern Ireland) 2006 (S.R. 2006/36)

The Pensions (2004 Act and 2005 Order) (PPF Payments and FAS Payments) (Consequential Provisions) Order (Northern Ireland) 2006 (S.R. 2006/37)

**The Diseases of Animals (Amendment) Regulations (Northern Ireland) 2006 (S.R. 2006/41)**

**The Foot-and-Mouth Disease Regulations (Northern Ireland) 2006 (S.R. 2006/42)**

**The Foot-and-Mouth Disease (Control of Vaccinations) Regulations (Northern Ireland) 2006 (S.R. 2006/43)**

The Misuse of Drugs (Amendment) Regulations (Northern Ireland) 2006 (S.R. 2006/44)

The Disability Discrimination (Services and Premises) (Amendment) Regulations (Northern Ireland) 2006 (S.R. 2006/46)

The Occupational and Personal Pension Schemes (Consultation by Employers) Regulations (Northern Ireland) 2006 (S.R. 2006/48)

The Occupational Pension Schemes (Early Leavers: Cash Transfer Sums and Contribution Refunds) Regulations (Northern Ireland) 2006 (S.R. 2006/49)

The Pension Protection Fund (Pension Compensation Cap) Order (Northern Ireland) 2006 (S.R. 2006/50)

The Education (Prohibition on Teaching and Working with Children) Regulations (Northern Ireland) 2006 (S.R. 2006/51)

Less Favoured Area Compensatory Allowances Regulations (Northern Ireland) 2006 (S.R. 2006/52)

The Insolvency Practitioners and Insolvency Account (Fees) Order (Northern Ireland) 2006 (S.R. 2006/53)

The Insolvency (Deposits) Order (Northern Ireland) 2006 (S.R. 2006/55)

Infected Waters (Pancreatic Necrosis) (Revocation) Order (Northern Ireland) 2006 (S.R. 2006/57)

Dairy Produce Quotas (Amendment) Regulations (Northern Ireland) 2006 (S.R. 2006/60)

The Insolvency (Northern Ireland) Order 2005 (Minor and Consequential Amendments) Order (Northern Ireland) 2006 (S.R. 2006/61)

The Tax Credits (Approval of Home Child Care Providers) Scheme (Northern Ireland) 2006 (S.R. 2006/64)

The Occupational Pension Schemes (Republic of Ireland Schemes Exemption (Revocation) and Tax Exempt Schemes (Miscellaneous Amendments)) Regulations (Northern Ireland) 2006 (S.R. 2006/65)

The Plant Health (Wood and Bark) Order (Northern Ireland) 2006 (S.R. 2006/66)

The Road Traffic (Health Services Charges) (Amendment) Regulations (Northern Ireland) 2006 (S.R. 2006/67)

The Social Security (Preparation for Employment Programme 50 to 59 Pilot) Regulations (Northern Ireland) 2006 (S.R. 2006/70)

The Social Security (Low Earnings Threshold) Order (Northern Ireland) 2006 (S.R. 2006/71)

The Social Security (Revaluation of Earnings Factor) Order (Northern Ireland) 2006 (S.R. 2006/72)

The Public Service Vehicles (Conditions of Fitness, Equipment and Use) (Amendment) Regulations (Northern Ireland) 2006 (S.R. 2006/74)

Employment Rights (Increase of Limits) Order (Northern Ireland) 2006 (S.R. 2006/75)

Organic Farming (Conversion of Animal Housing) (Amendment) Scheme (Northern Ireland) 2006 (S.R. 2006/81)

The Plant Health Order (Northern Ireland) 2006 (S.R. 2006/82)

The Motorways Traffic (Amendment) Regulations (Northern Ireland) 2006 (S.R. 2006/83)

The Occupational Pension Schemes (Pension Protection Levies) (Transitional Period and Modification for Multi-employer Schemes) Regulations (Northern Ireland) 2006 (S.R. 2006/84)

The Occupational Pension Schemes (Fraud Compensation Levy) Regulations (Northern Ireland) 2006 (S.R. 2006/85)

Local Government (Accounts and Audit) Regulations (Northern Ireland) 2006(S.R. 2006/89)

**Environmental Impact Assessment (Uncultivated Land and Semi-Natural Areas) Regulations (Northern Ireland) 2006 (S.R. 2006/90)**

The Social Security (Claims and Payments) (Amendment) Regulations (Northern Ireland) 2006 (S.R. 2006/91)

The Pension Protection Fund (Risk-based Pension Protection Levy) Regulations (Northern Ireland) 2006 (S.R. 2006/92)

The Companies (1986 Order) (Operating and Financial Review) (Repeal) Regulations (Northern Ireland) 2006 (S.R. 2006/94)

The Social Security (Industrial Injuries) (Prescribed Diseases) (Amendment) Regulations (Northern Ireland) 2006 (S.R. 2006/96)

The Social Security (Miscellaneous Amendments) Regulations (Northern Ireland) 2006 (S.R. 2006/97)

The Pollution Prevention and Control (Miscellaneous Amendments) Regulations (Northern Ireland) 2006 (S.R. 2006/98)

Employment Code of Practice (Access and Unfair Practices during Recognition and Derecognition Ballots) (Appointed Day) Order (Northern Ireland) 2006 (S.R. 2006/100)

Employment Code of Practice (Industrial Action Ballots and Notice to Employers) (Appointed Day) Order (Northern Ireland) 2006 (S.R. 2006/101)

The Castleway, Antrim (Abandonment) Order (Northern Ireland) 2006 (S.R. 2006/102)

The Health and Personal Social Services (Assessment of Resources) (Amendment) Regulations (Northern Ireland) 2006 (S.R. 2006/103)

The Social Security (Deferral of Retirement Pensions, Shared Additional Pension and Graduated Retirement Benefit) (Miscellaneous Provisions) Regulations (Northern Ireland) 2006 (S.R. 2006/104)

The Animals and Animal Products (Import and Export) (Amendment) Regulations (Northern Ireland) 2006 (S.R. 2006/105)

The Optical Charges and Payments (Amendment) Regulations (Northern Ireland) 2006 (S.R. 2006/106)

The Potatoes Originating in Egypt (Amendment) Regulations (Northern Ireland) 2006 (S.R. 2006/107)

The Guaranteed Minimum Pensions Increase Order (Northern Ireland) 2006 (S.R. 2006/108)

The Social Security Benefits Up-rating Order (Northern Ireland) 2006 (S.R. 2006/109)

The Social Security Benefits Up-rating Regulations (Northern Ireland) 2006 (S.R. 2006/110)

The Social Security (Industrial Injuries) (Dependency) Order (Northern Ireland) 2006 (S.R. 2006/111)

Local Government Pension Scheme (Amendment No. 2) Regulations (Northern Ireland) 2006 (S.R. 2006/112)

The Social Security (Deferral of Retirement Pensions etc.) Regulations (Northern Ireland) 2006 (S.R. 2006/113)

The Game Preservation (Special Protection for Irish Hares) Order (Northern Ireland) 2006 (S.R. 2006/114)

The Fish Labelling (Amendment) Regulations (Northern Ireland) 2006 (S.R. 2006/116)

The Occupational Pension Schemes (Trustees' Knowledge and Understanding) Regulations (Northern Ireland) 2006 (S.R. 2006/120)

The Social Security (Young Persons) (Amendment) Regulations (Northern Ireland) 2006 (S.R. 2006/128)

The Workmen's Compensation (Supplementation) (Amendment) Regulations (Northern Ireland) 2006 (S.R. 2006/131)

The Occupational Pension Schemes (Levy Ceiling) Order (Northern Ireland) 2006 (S.R. 2006/132)

The Social Security (Industrial Injuries) (Prescribed Diseases) (Amendment No. 2) Regulations (Northern Ireland) 2006 (S.R. 2006/133)

The Ardnoe Avenue, Dundonald (Abandonment) Order (Northern Ireland) 2006 (S.R. 2006/134)

The Working Time (Amendment) Regulations (Northern Ireland) 2006 (S.R. 2006/135)

The Travelling Expenses and Remission of Charges (Amendment) Regulations (Northern Ireland) 2006 (S.R. 2006/136)

The Companies (1986 Order) (Investment Companies and Accounting and Audit Amendments) Regulations (Northern Ireland) 2006 (S.R. 2006/137)

The Companies (Summary Financial Statement) (Amendment) Regulations (Northern Ireland) 2006 (S.R. 2006/138)

The Companies (Revision of Defective Accounts and Report) (Amendment) Regulations (Northern Ireland) 2006 (S.R. 2006/139)

The Pension Protection Fund (Provision of Information) (Amendment) Regulations (Northern Ireland) 2006 (S.R. 2006/140)

The Occupational and Personal Pension Schemes (Miscellaneous Amendments) Regulations (Northern Ireland) 2006 (S.R. 2006/141)

The Statutory Sick Pay (General) (Amendment) Regulations (Northern Ireland) 2006 (S.R. 2006/142)

The Charges for Drugs and Appliances (Amendment) Regulations (Northern Ireland) 2006 (S.R. 2006/145)

The Occupational Pension Schemes (Member-nominated Trustees and Directors) Regulations (Northern Ireland) 2006 (S.R. 2006/148)

The Occupational Pension Schemes (Modification of Schemes) Regulations (Northern Ireland) 2006 (S.R. 2006/149)

The Social Security (Incapacity for Work) (Amendment) Regulations (Northern Ireland) 2006 (S.R. 2006/150)

The Weighing Equipment (Automatic Catchweighing Instruments) Regulations (Northern Ireland) 2006 (S.R. 2006/154)

The Pension Protection Fund (General and Miscellaneous Amendments) Regulations (Northern Ireland) 2006 (S.R. 2006/155)

The Pension Protection Fund (Reviewable Matters and Review and Reconsideration of Reviewable Matters (Amendment) Regulations (Northern Ireland) 2006 (S.R. 2006/156)

The Weighing Equipment (Beltweighers) Regulations (Northern Ireland) 2006 (S.R. 2006/157)

The Social Security (Provisions relating to Qualifying Young Persons) Regulations (Northern Ireland) 2006 (S.R. 2006/158)

Health and Personal Social Services (Superannuation Scheme and Injury Benefits) (Amendment) Regulations (Northern Ireland) 2006 (S.R. 2006/159)

The Occupational Pension Schemes (Cross-Border Activities) (Amendment) Regulations (Northern Ireland) 2006 (S.R. 2006/160)

The Occupational Pension Schemes (Payments to Employer) Regulations (Northern Ireland) 2006 (S.R. 2006/161)

The Occupational Pension Schemes (Levies) (Amendment) Regulations (Northern Ireland) 2006 (S.R. 2006/162)

The Teachers' Superannuation (Miscellaneous Amendments) Regulations (Northern Ireland) 2006 (S.R. 2006/163)

The Zebra, Pelican and Puffin Regulations (Northern Ireland) 2006 (S.R. 2006/164)

The Plant Health (Amendment) Regulations (Northern Ireland) 2006 (S.R. 2006/165)

The Belvoir Road and Newtownbreda Road, Belfast (Stopping-Up) Order (Northern Ireland) 2006 (S.R. 2006/166)



The Social Security (Incapacity Benefit Work-focused Interviews) (Amendment) Regulations (Northern Ireland) 2006 (S.R. 2006/167)

The Social Security (Miscellaneous Amendments No.2) Regulations (Northern Ireland) 2006 (S.R. 2006/168)

The Social Fund (Application for Review) (Amendment) Regulations (Northern Ireland) 2006 (S.R. 2006/169)

The Judicial Pensions (Spouses' and Children's Benefits) (Amendment) Regulations (Northern Ireland) 2006 (S.R. 2006/170)

The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment Regulations (Northern Ireland) 2006 (S.R. 2006/173)

**The Service Provision Change (Protection of Employment) Regulations (Northern Ireland) 2006 (S.R. 2006/177)**

The Social Security (Persons from Abroad) (Amendment) Regulations (Northern Ireland) 2006 (S.R. 2006/178)

The Welfare Foods (Amendment) Regulations (Northern Ireland) 2006 (S.R. 2006/180)

Superannuation (Chief Electoral Officer for Northern Ireland) Order (Northern Ireland) 2006 (S.R. 2006/181)

The Domestic Energy Efficiency (Amendment No. 5) Regulations (Northern Ireland) 2006 (S.R. 2006/183)

The Social Security (PPF Payments and FAS Payments) (Consequential Amendments) Regulations (Northern Ireland) 2006(S.R. 2006/184)

The Seed Potatoes (Crop Fees) Regulations (Northern Ireland) 2006(S.R. 2006/186)

**The Seed Potatoes (Tuber Inspection Fees) Regulations (Northern Ireland) 2006 (S.R. 2006/187)**

Superannuation (Agri-food and Biosciences Institute) Order (Northern Ireland) 2006 (S.R. 2006/188)

**The Gangmasters (Appeals) Regulations (Northern Ireland) 2006 (S.R. 2006/189)**

The Travelling Expenses and Remission of Charges (Amendment No. 2) Regulations (Northern Ireland) 2006 (S.R. 2006/190)

The Common Agricultural Policy Single Payment and Support Schemes (Set-aside) (Amendment) Regulations (Northern Ireland) 2006 (S.R. 2006/200)

Published by **TSO Ireland** and available from:

**The Stationery Office**

(mail, telephone and fax orders only)

PO Box 29, Norwich, NR3 1GN

Telephone orders/General enquiries: 0870 6005522

Fax orders: 0870 6005533

You can now order books online at [www.tso.co.uk](http://www.tso.co.uk)

**The Stationery Office Bookshops**

123 Kingsway, London, WC2B 6PQ

020 7242 6393 Fax 020 7242 6394

68-69 Bull Street, Birmingham B4 6AD

0121 236 9696 Fax 0121 236 9699

9-21 Princess Street, Manchester M60 8AS

0161 834 7201 Fax 0161 833 0634

16 Arthur Street, Belfast BT1 4GD

028 9023 8451 Fax 028 9023 5401

The Stationery Office Oriel Bookshop

18-19 High Street, Cardiff CF10 1PT

029 2039 5548 Fax 029 2038 4347

71 Lothian Road, Edinburgh EH3 9AZ

0870 606 5566 Fax 0870 6065588

The Stationery Office's Accredited Agents

(see Yellow Pages)

*and through good booksellers*

Printed in Northern Ireland by The Stationery Office Limited

© Copyright 2006



[www.tso.co.uk](http://www.tso.co.uk)

ISBN 0-33-940209-1



9 780339 402096