



STATUTORY INSTRUMENTS.

S.I. No. 225 of 2020

EUROPEAN UNION (GOOD AGRICULTURAL PRACTICE
FOR PROTECTION OF WATERS) (AMENDMENT) (NO.2)
REGULATIONS 2020

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I, EOGHAN MURPHY, Minister for Housing, Planning and Local Government, in exercise of the powers conferred on me by section 3 of the European Communities Act 1972 (No. 27 of 1972) and for the purpose of giving further effect to Directive 91/676/EEC of 12 December 1991¹, Directive 2000/60/EC of 23 October 2000², Directive 2003/35/EC of 26 May 2003³, Directive 2006/118/EC of 12 December 2006⁴ and Directive 2008/98/EC of 19 November 2008⁵ hereby make the following regulations:

Citation, commencement and application

1. These Regulations may be cited as the European Union (Good Agricultural Practice for Protection of Waters) (Amendment) (No.2) Regulations 2020.

Interpretation

2. In these Regulations:

“The 2017 Regulations” means the European Union (Good Agricultural Practice for Protection of Waters) Regulations 2017 (S.I. No. 605 of 2017) as amended by the 2018 Regulations and 2020 Regulations.

Amendments to the 2017 Regulations

3. Under Article 4 (Interpretation), the following definitions are inserted:

“Local authority shared service” means common or combined services provided to more than one local authority, the provision of which (to the local authorities concerned) enables, assists or facilitates the carrying out of any administrative task or process necessary for or incidental to the performance of a function assigned under these regulations to local authorities.

“Teagasc” means the Agriculture and Food Development Authority established in September 1988 under the Agriculture (Research, Training and Advice) Act, 1988.

4. Sub-article 27(5) is substituted by the following:

¹ O.J. No. L 375/1, 31 December 1991.

² O.J. No. L 327/1, 22 December 2000.

³ O.J. No. L 156/17, 25 June 2003.

⁴ O.J. No. L 372/19, 27 December 2006.

⁵ O.J. No. L 312/3, 22 November 2008.

(5) The Minister for Agriculture, Food and the Marine shall make available, upon written request, information in relation to any holding or holdings, as the case may be, where such transfer of data is necessary for the purposes of carrying out any functions set out in these regulations, including for the purpose of promoting compliance with these Regulations. Such information may be requested by the following;

- (a) the Minister,
- (b) an individual local authority,
- (c) a representative local authority under a local authority shared service established for the purpose of carrying out functions set out in these regulations including for the purpose of promoting compliance with these Regulations,
- (d) Teagasc for the purpose of promoting compliance with these Regulations,
- (e) the Environmental Protection Agency

5. The following sub-article is inserted after sub-article 27(5):

(6) The Minister for Agriculture, Food and the Marine shall ensure compliance with the Data Sharing and Governance Act, No. 5 of 2019 in making available any information under sub-article (5) above.

GIVEN under my Official Seal of the

 Minister for Housing, Planning and Local Government,
 24 June, 2020.

EOGHAN MURPHY,
 Minister for Housing, Planning and Local Government.

EXPLANATORY NOTE

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

These Regulations amend the European Union (Good Agricultural Practice for Protection of Waters) Regulations 2017. The purpose of the amendment is to specify the authorities to whom the Minister for Agriculture, Food and the Marine shall make available information in relation to any holding where such transfer of data is necessary for the purposes of carrying out any functions set out in these regulations, including for promoting compliance with these Regulations. Furthermore, the amendment brings the regulations in line with the Data Sharing and Governance Act, 2019.

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