

*These notes refer to the Marine Act (Northern Ireland) 2013
(c.10) which received Royal Assent on 17 September 2013*

Marine Act (Northern Ireland) 2013

EXPLANATORY NOTES

OVERVIEW

21. The Act sets out a new framework for Northern Ireland's seas based on: a system of marine planning that will balance conservation, energy and resource needs; improved management for marine nature conservation; and streamlining of marine licensing for some electricity projects. It consists of 50 sections, 5 Parts and 2 Schedules.

[Part 1](#): Preliminary.

[Part 2](#): Marine Planning.

[Part 3](#): Marine Protection.

[Part 4](#): Marine Licensing: Generating Stations.

[Part 5](#): Supplementary.

[Schedule 1](#): Marine plans: preparation and adoption.

[Schedule 2](#): Further provision about fixed monetary penalties under section 35.

Part 1: Preliminary

22. [Part 1](#) reiterates the sustainable duty contained in the Northern Ireland (Miscellaneous Provisions) Act 2006; defines the Northern Ireland inshore region, which is the area to which the Act applies; and enables the Department to enter into arrangements with other public authorities in order to promote the effective co-ordination of their respective functions in the Northern Ireland inshore region.

Part 2 Marine Planning

23. Under Part 2 of the Act, the Department may prepare a marine plan for all or part of the Northern Ireland inshore region. A marine plan will bring together information and policies on the multiple uses of the marine area, together with spatial and temporal data (e.g. seasonal changes) for the water column and the seabed, using maps where appropriate. As a strategic tool, it will allow decisions to be made about the best use of the marine area, in order to maximise compatibility of activities and achieve sustainable development.

24. The Northern Ireland inshore region overlaps with the area covered by terrestrial planning, which extends to the low water mark; therefore the Department must take all reasonable steps to ensure compatibility between a marine plan and any related terrestrial development plan.
25. The Act details the procedure by which the Department must prepare, consult on, and publish a marine plan. This procedure requires the publication of a Statement of Public Participation, which will set out how interested parties will be involved in the planning process.

Part 3 Marine Protection

26. The Act allows the Department to designate areas as marine conservation zones (MCZs), with the agreement of the Secretary of State. Designation may be carried out for certain circumstances (e.g. conserving species of marine flora and fauna), having regard to any economic, cultural or social consequences of designation. Islands may be included within an MCZ, and adjacent areas of the seashore may also be included if certain conditions apply.
27. The Department must publicise proposals for MCZ designation, and must consult the Secretary of State and interested parties before making a designation order.

Part 4 Marine Licensing

28. Part 4 of the UK Marine and Coastal Access Act 2009 introduced a new system of marine licensing which extended to Northern Ireland. The 2009 Act allowed for the use of special procedures in respect of certain electricity works in parts of the UK. The Marine Act (Northern Ireland) 2013 contains a provision amending the 2009 Act to provide for the application of equivalent special procedures, for applications relating to certain electricity works, in the Northern Ireland inshore region.

Part 5 Supplementary

29. [Part 5](#) contains supplementary provisions, including how subordinate legislation should be made and definitions for key terms used throughout the Act.