

*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

COMMENTARY ON SECTIONS

Part 1: Preliminary

Section 1: Sustainable Development

Section 1 reiterates the sustainable duty contained in the Northern Ireland (Miscellaneous Provisions) Act 2006, which places a duty on all public authorities in respect of sustainable development. Section 25 of that Act states that a public authority must, in exercising its functions, act in the way it considers best calculated to contribute to the achievement of sustainable development in Northern Ireland, except to the extent that it considers that any such action is not reasonably practicable in all the circumstances of the case.

Section 2: The Northern Ireland inshore region

This section defines the geographical area to which the Act applies. The Northern Ireland inshore region comprises the sea and seabed within the territorial sea (out to 12 nautical miles) adjacent to Northern Ireland, and the landward limit of the region is also defined. The Northern Ireland inshore region includes tidal rivers and all the sea loughs (including Lough Foyle and Carlingford Lough). This also includes areas that would be open to the tide, apart from the fact that they are generally isolated from it by an artificial barrier, such as a closed weir, but where seawater may flow or be caused to flow (e.g. the Lagan Weir).

Section 3 Arrangements to promote co-ordination of functions in Northern Ireland inshore region

This section enables the Department to enter into arrangements with a 'relevant public authority' in order to promote the co-ordination of their functions. The Department is required to keep any such arrangements under review, to publish details of any arrangements and to lay a report on their effectiveness in the Assembly within three years of Royal Assent.

Any arrangements would be made with the agreement of both parties and within the existing legislative arrangements - for example, those relating to the cross-border body, the Loughs Agency.