
STATUTORY RULES OF NORTHERN IRELAND

2011 No. 81

**The Marine Licensing (Civil Sanctions)
Order (Northern Ireland) 2011**

PART 1

Introductory provisions

Citation and commencement

1. This Order may be cited as the Marine Licensing (Civil Sanctions) Order (Northern Ireland) 2011 and comes into operation on 6th April 2011.

Interpretation

2.—(1) In this Order—

“the Act” means the Marine and Coastal Access Act 2009;

“Appeals Commission” means the Water Appeals Commission for Northern Ireland as specified in Article 292 (Water Appeals Commission) of the Water and Sewerage Services (Northern Ireland) Order 2006⁽¹⁾

“civil sanction” means a fixed monetary penalty or variable monetary penalty;

“final notice”—

(a) in relation to a fixed monetary penalty, has the meaning given by Article 8(3);

(b) in relation to a variable monetary penalty, has the meaning given by Article 17(4);

“licence” means a marine licence;

“notice of intent”—

(a) in relation to a fixed monetary penalty, has the meaning given by Article 5(1); and

(b) in relation to a variable monetary penalty, has the meaning given by Article 14(1).

(2) The Interpretation Act (Northern Ireland) 1954⁽²⁾ applies to this Order as it applies to an Act of the Assembly.

Application

3. This Order applies in relation to Northern Ireland and the Northern Ireland inshore region, and any licensable marine activity carried on in Northern Ireland or the Northern Ireland inshore region, for which the Department of the Environment is—

(a) the appropriate licensing authority; or

(1) S.I. 2006/3336 (N.I. 21)

(2) 1954 c.33 (N.I.).

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (b) an appropriate enforcement authority (and references in this Order to “the enforcement authority” are to be read accordingly)(3).

(3) Under sections 113(6)(a) and 114(2) of the Act the Secretary of State is, respectively, the licensing authority and the enforcement authority in respect of anything done in the course of carrying on any activity which relates to a matter which is an excepted matter, by virtue of paragraph 4 of Schedule 2 to the Northern Ireland Act 1998 (c. 47) (defence of the realm etc.), in Northern Ireland and the Northern Ireland inshore region.