# Marine Act (Northern Ireland) 2013

## **EXPLANATORY NOTES**

#### **COMMENTARY ON SECTIONS**

### **Part 3: Marine Protection**

#### Section 16: Consultation before designation

This section requires the Department to carry out public consultation before designating an MCZ.

Subsections (2) and (3) require notice of a proposed designation order to be published. This enables anyone likely to be affected by a proposed order the opportunity to have their interests taken into account.

Subsection (5) requires the Department to make a decision regarding designation of an individual MCZ within 12 months of publishing the notice. Failure to designate a site within that time means that the process must begin again before an area may be designated as an MCZ.

Subsections (6) and (7) provide an exemption from the general requirements of publication and consultation if there is an urgent need to designate an MCZ, although the Department will still need to consult with the Secretary of State. In such cases, an urgent order may only remain in force for up to two years unless the Department makes an order confirming the designation within those two years. Publication and consultation in accordance with subsections (2) to (4) are required in relation to an order confirming the designation (and subsection (5) applies accordingly).