



2013 CHAPTER 10

Part 1

Preliminary

Sustainable development

1.—(1) Nothing in this Act affects the duty of the Department under section 25 of the Northern Ireland (Miscellaneous Provisions) Act 2006 to exercise its functions in accordance with that section.

(2) Accordingly, the Department must in exercising its functions under this Act—

- (a) 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; and
- (b) have regard to any strategy or guidance relating to sustainable development issued by the Department.

The Northern Ireland inshore region

2.—(1) In this Act the “Northern Ireland inshore region” means the area of sea within the seaward limits of the territorial sea of the United Kingdom adjacent to Northern Ireland, including the bed and subsoil of the sea within that area.

(2) In this Act “sea” includes—

- (a) any area submerged at mean high water spring tide,
- (b) the waters of every estuary, river or channel, so far as the tide flows at mean high water spring tide.

Changes to legislation: Marine Act (Northern Ireland) 2013, Part 1 is up to date with all changes known to be in force on or before 04 June 2020. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

(3) The area of sea referred to in subsection (2)(a) includes waters in any area—

- (a) which is closed, whether permanently or intermittently, by a lock or other artificial means against the regular action of the tide, but
- (b) into which seawater is caused or permitted to flow, whether continuously or from time to time, and
- (c) from which seawater is caused or permitted to flow, whether continuously or from time to time.

(4) In relation to Part 3, subsections (1) to (3) are subject to section 13(2).

(5) The boundaries between the parts of the territorial sea of the United Kingdom adjacent to Northern Ireland and the parts not so adjacent are to be determined by reference to an Order in Council under section 98(8) of the Northern Ireland Act 1998 if, or to the extent that, the Order in Council is expressed to apply—

- (a) for the purposes of this Act, or
- (b) if no such provision has been made, for the general or residual purposes of that Act.

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

3.—(1) The Department may enter into arrangements with a relevant public authority designed to promote the effective co-ordination of the exercise by the parties to the arrangements of their respective functions in the Northern Ireland inshore region.

(2) The Department shall keep arrangements made under this section under review.

(3) The Department shall—

- (a) within one year of the date on which this Act receives Royal Assent publish details of any arrangements made under this section; and
- (b) within three years of the date on which this Act receives Royal Assent lay before the Assembly a report on the effectiveness of any arrangements made under this section.

(4) For the purposes of this section “the relevant public authorities” are—

^{F1}(a)

^{F1}(b)

- (c) the Department of Enterprise, Trade and Investment;
- (d) the Department for Regional Development;
- (e) the Agri-food and Biosciences Institute;

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(f) the Foyle, Carlingford and Irish Lights Commission.

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Textual Amendments

F1 S. 3(4)(a)(b) omitted (8.5.2016) by virtue of [The Departments \(Transfer of Functions\) Order \(Northern Ireland\) 2016 \(S.R. 2016/76\)](#), art. 1(3), **Sch. 6 para. 89** (with art. 9(2))

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 20(11) inserted by [S.I. 2019/112 reg. 2\(2\)\(b\)](#)
- s. 38(7)(a) words substituted by [S.I. 2019/112 reg. 2\(3\)\(a\)](#)
- s. 38(7)(b) words substituted by [S.I. 2019/112 reg. 2\(3\)\(b\)](#)