EXPLANATORY MEMORANDUM TO

The Foyle Area (Licensing of Oyster Fishing) (Amendment) Regulations 2010

SR 2010 No. 310

1. Introduction

1.1. This Explanatory Memorandum has been prepared by the Foyle, Carlingford and Irish Lights Commission to accompany the Statutory Rule (details above) which is laid before the Northern Ireland Assembly.

1.2 The Statutory Rule is made under section 13(1) and (2) of the Foyle Fisheries Act 1952 and section 13(1) and (2) of the Foyle Fisheries Act (Northern Ireland) 1952 (as amended by S.I. 1999/859 and S.I. 2007/915 (N.I. 9)) and is subject to the negative resolution procedure.

2. Description

2.1 These Regulations amend the Foyle Area (Licensing of Oyster Fishing) Regulations 2008 by prescribing new reduced licence fees.

3. Matters of special interest to the Examiner of Statutory Rules

3.1 These regulations are in breach of the 21 day rule. They must be in operation by 13 September 2010 in order to enable the Loughs Agency to charge the new reduced licence fee for oyster fishing licences for the 2010 oyster fishing season.

3.2 It was not possible for the regulations to be made earlier to facilitate compliance with the 21 day rule, as the requisite approvals were not in place.

4. Consultation

4.1 The regulations were the subject to a full public consultation which included local stakeholders.

5. Territorial Extent and Application

5.1 This Statutory Rule applies to the Foyle Area.

6. European Convention on Human Rights

6.1 The proposed legislation has been screened for these issues and none were identified.

7. Equality Impact

7.1 These regulations have been subject to equality screening, carried out by the Loughs Agency, which found that a full EQIA is not necessary as the proposals apply equally to, and will have no disproportionate effect on, the section 75 groups.

8. Regulatory Impact

8.1 A Partial Regulatory Impact Assessment was prepared for this instrument and circulated to stakeholders with the consultation papers.

9. Financial Implications

9.1 These regulations will be financially beneficial to oyster fishermen in the Foyle Area.

10. Section 24 of the Northern Ireland Act 1998

10.1 These regulations comply with section 24 of the Northern Ireland Act 1998.

11. EU Implications

11.1 None

12. Additional Information

12.1 None