EXPLANATORY MEMORANDUM TO

The Marine Protected Areas (Prohibited Methods of Fishing) (Amendment) Regulations (Northern Ireland) 2023

SR 2023 No. 135

1. Introduction

1.1. This Explanatory Memorandum has been prepared by the Department of Agriculture, Environment and Rural Affairs (the Department) to accompany the Statutory Rule (details above) which is laid before the Northern Ireland Assembly. The Statutory Rule is subject to the negative resolution procedure in the Northern Ireland Assembly.

1.2. The Statutory Rule is made in exercise of the powers conferred by sections 19(1) and 124(1), (2) and (2A) of the Fisheries Act (Northern Ireland) 1966.

2. Purpose

2.1. The purpose of this Statutory Rule is to make minor corrections to the Marine Protected Areas (Prohibited Methods of Fishing) Regulations (Northern Ireland) 2022 (Statutory Rule S.R. 2022 No. 292) which were laid at the Northern Ireland Assembly on 1 November 2022 and came into operation on 1 January 2023. These amendments do not alter the agreed policy position.

2.2 These corrections to the Statutory Rule S.R. 2022 No. 292 include the substitution of 2 longitude coordinates in the table at Area 3 in Schedule 8 (The Maidens Special Area of Conservation).

3. Consultation

3.1. The Department carried out a consultation from 30 November 2020 until 31 March 2021 on proposed fisheries management measures in marine protected areas.

3.2 At its meeting on 21 October 2021, the AERA Committee considered the Departmental response to the consultation and noted the DAERA Written Briefing - Synopsis of responses to consultation on fisheries management measures in Marine Protected Areas and establishment of scallop enhancement sites. The AERA Committee was content with the policy proposals and that the relevant legislation should be laid.

Equality Impact

4.1 Consideration has been given to compliance with section 75 of the Northern Ireland Act 1998 and an equality screening of the provisions in the Marine Protected Areas (Prohibited Methods of Fishing) Regulations (Northern Ireland) 2022 (Statutory Rule S.R. 2022 No. 292) concluded that it is screened out from requiring a full equality impact assessment.

5. Regulatory Impact

5.1. A final Regulatory Impact Assessment was published with the Marine Protected Areas (Prohibited Methods of Fishing) Regulations (Northern Ireland) 2022 (Statutory Rule S.R. 2022 No. 292).

5.2 These amendments have no implications for the final Regulatory Impact Assessment as that was based on the correct coordinates which have now been fixed.

6. Financial Implications

6.1. There are no financial implications for the Department associated with the making of this Rule.

7. Section 24 of the Northern Ireland Act 1998

7.1. This Statutory Rule complies with the provisions set out in section 24 of the Northern Ireland Act 1998.

8. EU Implications

8.1. None.

9. Parity or Replicatory Measure

9.1. N/A

10. Additional Information

10.1. For further information contact Patrick Smith (Tel. 02844618111) or Colin Armstrong (Tel. 02890569235) at the Department of Agriculture, Environment and Rural Affairs or e-mail patrick.smith@daera-ni.gov.uk or seafisheries@daera-ni.gov.uk.