



STATUTORY INSTRUMENTS.

S.I. No. 530 of 2023



MARITIME AREA USAGE (LICENCE CONDITIONS) REGULATIONS
2023

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I, DARRAGH O'BRIEN, Minister for Housing, Local Government and Heritage, in exercise of the powers conferred on me by section 120(2) of the Maritime Area Planning Act 2021 (No. 50 of 2021), after consultation with the Maritime Area Regulatory Authority, hereby make the following regulations:

Citation

1. These Regulations may be cited as the Maritime Area Usage (Licence Conditions) Regulations 2023.

Definition

2. In these Regulations "Act" means Maritime Area Planning Act 2021 (No. 50 of 2021).

Additional licence conditions

3. The following additional conditions are specified for the purposes of paragraph 18 of Schedule 8 to the Act which may be attached by the MARA to a licence, namely, a condition:

- (a) to provide for the payment of fees by the holder of a licence;
- (b) requiring the holder of a licence to notify the MARA of the commencement, termination, suspension or resumption of the maritime usage and of any other matters or events relevant to the maritime usage that may be specified in the conditions;
- (c) postponing the coming into effect of a licence pending compliance with certain other conditions attached to the licence;
- (d) arising out of an appropriate assessment carried out by MARA under section 117 of the Act;
- (e) for or in connection with the rehabilitation and restoration of the maritime area relevant to the maritime usage the subject of a licence;
- (f) for or in connection with the protection and enhancement of the environment relevant to the maritime usage the subject of a licence;
- (g) for or in connection with the protection of archaeological and historical heritage in the maritime area;
- (h) for or in connection to the protection, enhancement and restoration of—
 - (i) fisheries or navigation and navigational safety in, or

*Notice of the making of this Statutory Instrument was published in
"Iris Oifigiúil" of 10th November, 2023.*

- (ii) public use and amenity of,
the maritime area;
- (i) specifying the steps that must be taken by the holder of a licence when force majeure or other change of circumstances prevents one or both of the following -
 - (i) the holder from discharging (whether in whole or in part) an obligation of the holder under the licence or the Act, or
 - (ii) the MARA from discharging (whether in whole or in part) an obligation of the MARA under the licence or the Act where the obligation relates, whether in whole or in part or directly or indirectly, to the holder.



GIVEN under my Official Seal,
2 November, 2023.

DARRAGH O'BRIEN,
Minister for Housing, Local Government and Heritage.

EXPLANATORY NOTE

(This note is not part of the Instrument and does not purport to be a legal interpretation.)

These Regulations provide for additional conditions that the MARA may attach to a licence for a maritime usage.

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