Strategic Planning and Corporate Services Group
Strategic Support Division

Your reference:
Our reference: ACP/26/230

Department of
Agriculture, Environment and Rural Affairs
An Roinn
Talmhaíochta, Comhshaoil agus Gnóthaí Tuaithe
Depairtment o'
Fairmin, Environment an' Kintra Matthers
www.daera-ni.gov.uk

Dr Janice Thompson
Clerk to the AERA Committee
Northern Ireland Assembly
Room 285
Parliament Buildings
Stormont Estate
BT4 3XX

Minister's Office
1st Floor
Clare House
303 Airport Road West
Sydenham Intake
Belfast BT3 9ED
Telephone: 028 774 45117
Email: paul.mcgranaghan@daera-ni.gov.uk

06 November 2026

Dear Janice,

Fisheries, Aquaculture and Water Environment Bill – RalSe queries.

Thank you for your letter of 21 October, in which you raised a number of queries arising from the Committee meeting held on 20 October and the evidence and briefing provided by RaISe.

The Department's responses are set out at **Annex A** and have been provided using the tabular format accompanying your letter for ease of reference.

I hope this is of assistance but should you require anything further please contact me directly.

Yours sincerely,

Paul McGranaghan
Departmental Assembly Liaison Officer

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	AERA COMMITTEE QUERY	DAERA RESPONSE/COMMENTS
Public Consultation – Impact Assessment		
1	Whether the reference to impact assessments prepared for primary legislation as being live documents, is a new approach?	The RIA guidance (Element 8 – Page 18) provided by the Department for the Economy states that: **Once a policy or legislation has cleared all processes to pass into Law then the final draft RIA can be deemed FINAL and can be published as such**. According to the guidance, the RIA is a working draft which only becomes final when the Bill receives Royal Assent.
2	Will the Committee be kept informed as and when impacts assessments are added to, updated etc. Or is this something the Committee will need to request going forward?	Yes, as per all amendments to the Bill and policies, the Committee will be informed in a timely manner.
Scope of Bill		

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3	With regards to the 1966 Act, the Bill replaces or amends a limited number of sections within the Act, but there are more than 200 sections and 8 Schedules within the Act. Similarly, the changes to the 1967 Act and 1990 Order are also limited in nature. Given this context does DAERA believe that a more comprehensive review of enforcement and regulation is needed? Will this happen in the future and how will it tie in with this Bill?	The Bill proposes only those amendments that are necessary to give effect to its policy objectives. While the 1966 Act contains over 200 sections and eight Schedules, the Bill amends or replaces only those provisions directly relevant to the proposed reforms. Similarly, the amendments to the 1967 Act and the 1990 Order are limited to the specific provisions required to implement the policy intent. This targeted approach ensures that the Bill remains focused in scope and avoids unintended consequences for other legislative provisions that are not affected by, or necessary for, the reforms being introduced. The Bill incorporates enabling powers to make amendments to legislation, ensuring the statutory framework can be updated as necessary to reflect future developments and emerging needs.
4	How will this Bill address the recommendations of the Independent Review of Environmental Governance (2025) on the need for greater clarity and coherence in terms of roles, responsibilities, regulation and legislation.	A number of the recommendations have not been included in the Bill as they relate to wider regulatory, governance or funding issues rather than inland fisheries legislation. This includes proposals relating to independent environmental regulation, cross-compliance publication requirements, funding arrangements, environmental enforcement strategies, SORPI arrangements and broader environmental sanctions. However, regarding SORPI, the Minister continues to seek Executive colleagues support for withdrawal from SORPI. These issues extend beyond the scope of the Bill and would require separate policy, governance or legislative consideration. In addition, some recommendations seek to prescribe specific operational or management actions that are more appropriately considered through future River Basin Management Plans, policy

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		development and implementation programmes rather than primary legislation.
5	Building on the previous point, does DAERA see a need for a wider review of existing legislation with a view towards consolidation?	The Department keeps the legislation it is responsible for under review, however, to consolidate the wide and varied pieces of legislation associated with Inland Waters would be an extensive exercise. The Department, in bringing forward subordinate legislation under the Bill will take every opportunity to consolidate existing subordinate to provide clarity and ease of access.
Penalties for Offences		
6	Has the max fine under each of the pieces of legislation ever been used? If not, why not?	Prosecution under this legislation is not handled by the department. A file is submitted to the Public Prosecution Service (PPS), and it is ultimately their decision to prosecute. It is up to PPS choose a summary case in the Magistrate Court with lower sanctions or on Indictment in the Crown court with high sanctions. The current maximum financial penalty in the Water (NI) Order 1999 is £20000. An exact fine of £20000 has not been imposed by the courts at any point. A number of cases have historically been referred by PPS to the Crown Court where the offender has been fined £60000 in one case for 2 separate dates and £40000 in 1 other case. A recent Magistrates Court outcome, in a joint action with NIEA IPRI, concluded with a total fine, against a single entity, under the Water (NI) Order 1999, of £45000 in respect of 9 charges relating to separate dates [separate charges were pursued by NIEA IPRI and fines imposed separately in respect of those charges].

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		The level of fine imposed is a matter for the Judiciary to determine and is based on the court's sentencing guidelines. The level of fine imposed is not a matter for NIEA.
7	Does DAERA feel the use of the max proposal on summary conviction for £50,000 is needed. If so, why? And will measures included in the Bill see increased use of it?	Yes, DAERA feels that the maximum proposal is necessary. Current enforcement penalties are low and not a deterrent. Measures included in the Bill will make the maximum fine available to the judicial system, it is hoped that penalties will also increase according to the offence which will provide a greater deterrent
8	Regards to the proposed changes to the penalties under the Fisheries Act (Northern Ireland) 1966 - does the creation of an unspecified fine amount in relation to conviction on indictment mean that the fine is unlimited?	Yes. The reason there is no limit specified is that the level is set as the Court determines.
9	Does DAERA believe that a greater level of fines at a higher level will result from the provisions coming into force? If so, is there any evidence to support this supposition?	The aim of increasing the level of fines is to deter the committing of an offence and to encourage compliance. The Department has not considered any evidence which shows an increase in penalty results in a corresponding increase in the overall amount paid across offences.

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10	Where does all fine income go under these provisions? Towards fisheries, aquaculture and water quality or into the Consolidated Fund?	Generally, under section 203 of the Fisheries Act (NI) 1966, every fine imposed under that Act is paid to the Department. In all other cases it is paid into the consolidated fund in accordance with section 20 of the Administration of Justice Act (NI) 1954.
11	What consideration has been given to repeat offenders and offences?	Under paragraph 9(2) of Part 2 of the Scheule to the Bill, the fines for penalties under section 202 of the 1966 Act (continuing offences) will be increased from £500 to £10,000.
12	How will the Bill impact Northern Ireland Water (NIW) immunity in relation to the Water Order Provisions?	NI Water's Crown immunity was removed when it was established in April 2007, consequently the Bill will have no impact. NI Water is already subject to the offence and enforcement provisions of the Water (Northern Ireland) Order 1999. The Bill does not alter the existing statutory defences or exceptions available under the Order, including the provisions in Article 7A. Its principal effect is to increase the maximum fine on summary conviction for specified Water Order offences from £20,000 to £50,000 and to provide an enabling power for the future introduction of fixed-penalty notices. NI Water will remain subject to the same underlying legal tests but could face a higher maximum penalty where an offence is successfully prosecuted.
13	Does the Bill give consideration to NIW and the Statement of Regulatory Principles and Intent (SORPI) as it relates to the Water Order provisions?	SORPI is an administrative arrangement between the Department and NI Water. The Bill gives no consideration to this SORPI arrangement

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	See recommendations under the Independent Review of Environmental Governance (2025)	
Use of subordinate legislation		
14	Whilst most of the identified Regulations and associated powers would be subject to draft affirmative resolution what is DAERA's rationale for relying so heavily on Regulations, particularly in relation to Clause 6?	The Department considers the regulation-making powers appropriate to enable fisheries and aquaculture management to respond to changing scientific evidence, stock status, environmental conditions and management requirements without the need for primary legislation on each occasion. The Bill sets the powers' purposes and scope, leaving detailed and technical requirements to subordinate legislation. Under the current provision of the Fisheries Act (NI) 1999 subordinate legislation is mostly technical and administrative in nature and subject to the negative resolution procedure. The Bill maintains this position, but where subordinate legislation imposes fees or amends primary legislation to give effect to the legislation, then this will be subject to the draft affirmative legislation. The Department, through the Bill, wishes to preserve the status quo in relation to technical and administrative provisions but

		recognises a greater degree of scrutiny is needed for certain provisions.
Fixed Penalty notices		
15	Recommendation 26 of the Independent Review of Environmental Governance (2025) suggests that DAERA should adopt civil sanctions and/or third-party undertakings for other environmental areas to broaden the toolkit available to the regulator. What did DAERA mean by including references to civil sanctions in the form of fixed and variable monetary fines within both public consultation documents?	The Department in the consultations on the policies for the the Bill sought the views on fixed and variable monetary penalties to which there was support for this. The intention was to use such penalties as alternatives to prosecution for low severity incidents. The use of fixed penalty notices was specifically referred to in the Lough Neagh Action Plan, and the introduction of any other type of measure would have required further policy development. Therefore, clauses for Fixed Penalty Notices were added to the Bill as a way to deal with minor offences.
16	More specifically did DAERA consider the adoption of additional provisions for civil sanctions for minor offences within the Bill such as Fixed Monetary Penalties, which unlike Fixed Penalty Notices can be appealed?	The introduction of these types of sanctions would have required further detailed policy development with consideration given to Human Rights and procedures for appeals and recovering of fines. The use of fixed penalty notices was specifically referred to in the Lough Neagh Action Plan, and the introduction of any other type of measure would have required further policy development.

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		Therefore, clauses for Fixed Penalty Notices were added to the Bill as a way to deal with minor offences.
17	Paragraph 43 of EFM - Could the language in be clearer given that Fixed Monetary Penalties are a distinct civil sanction tool which differ from Fixed Penalty Notices? Are references in paragraph 43, particularly in sentence 2 actually just an expansion on the explanation for proposing the use of Fixed Penalty Notices within the Bill?	Officials will update the Explanatory and Financial Memorandum (EFM) to reflect this point and ensure that the term "Fixed Penalty Notice" is used consistently throughout in relation to all administrative penalties.
18	Is DAERA effectively using the terms Fixed Penalty Notice and Fixed Monetary Penalty interchangeably for the same provision?	These terms have been used interchangeably, however for clarity the Department will amend the EFM.
19	In light of the proposed use of Fixed Monetary Penalties within the Marine Protected Areas policy area does DAERA risk further complicating of enforcement in policy areas with potential overlap?	Fixed monetary penalties are available across the UK for marine protected area enforcement alongside the use of fixed penalty notices for other types of offences. Enforcement guidance could be used to provide clarification.

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Operational review		
20	What was DAERA's rationale for not including an operational review provision within the Bill?	An operational review is a structured assessment of the Departments internal operations, including workflow execution, resource utilisation, performance metrics, and internal controls, aimed at improving productivity, reducing operational risks, and supporting business objectives. Provisions for operational reviews will be considered through future policy development and Departmental assessments.
Inland fisheries		
21	The Bill will see NI developing an Inland Fisheries Policy Statement, which would put NI in a distinctly different position to GB. What is DAERA's rationale and evidence for adopting This approach?	A dedicated Inland Fisheries Policy Statement will provide a framework reflecting Northern Ireland's inland fisheries circumstances, including environmental pressures, links with the wider water environment, recreational and commercial fisheries, relevant aquaculture activity and the respective jurisdictions of the Department and the Loughs Agency. Its purpose would be to set out how the Department intends to achieve or contribute to the statutory fisheries objectives. It will inform more detailed policies and, where appropriate, contribute to the development of legislation.
22	Clause 1 subsection 5 deals with the collection of **scientific data** and the management of inland fisheries and aquaculture activities being based on the best available scientific evidence.	The Department uses scientific and management evidence to inform inland fisheries and aquaculture management. The adequacy of that evidence needs to be considered in relation to the particular fishery, species or activity and the management issue concerned, taking account of its coverage, quality and any gaps or uncertainties.

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	What is DAERA's assessment of the current quality and extent of scientific data for fisheries and aquaculture activities within inland waters?	
23	Will the proposed adoption of the scientific evidence objective see DAERA actively engaged in seeking to improve the scientific data for inland fisheries and aquaculture?	The scientific evidence objective would inform the Department's approach to improving the coverage and quality of evidence for inland fisheries and aquaculture management. The scope of any additional work would depend on identified evidence needs, priorities and available resources.
24	In the context of the previous points how is DAERA defining 'best available scientific advice'?	The Department will develop, consult on and publish the Inland Fisheries Statement which, in accordance with clause 2(2) of the Bill will include a statement on how the Department interprets the "scientific evidence objective" The starting point for this will be to analyse how this has been defined in the Joint Fisheries Statement, which this objective is drawn from.
25	Clause 1 subsection 6b, which deals with the **bycatch objective,** makes it clear that the Department wishes to record and account for catches of fish in inland waters. Who would have direct responsibility for recording and accounting for catches of fish in inland waters?	Responsibility would depend on the arrangements applicable to the fishery or activity concerned and could rest with anglers, the Department or both. Any additional recording or reporting requirements would be considered when developing the necessary policies to achieve or contribute to this objective.

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	Does the burden lie on anglers, the Department or both?	
26	If the Department has responsibility, does it have the systems or staffing to ensure accurate reporting? Has any assessment been made of the costs of meeting this objective and how would these would be borne by the Department or anglers?	Any implications for systems and staffing, together with the level and allocation of costs between the Department and anglers, would depend on the specific recording or reporting arrangements, this would also be a material consideration when developing policies.
27	Clause 2, subsection 8 establishes that the **Inland Fisheries Policy Statement** will be informed by the need to minimise the adverse effect on inland fish and aquaculture activities from climate change, whilst also stating that fish and aquaculture activities adapt to climate change. What assessment has DAERA made of the potential impacts on inland fisheries and aquaculture from climate change? Are these impacts costed?	The Department recognises that climate change may affect inland fisheries and aquaculture through changes in water temperature and flows, extreme weather and associated effects on fish populations, habitats and fish health. The nature and extent of these impacts may vary between species, activities and locations. These considerations would inform the Inland Fisheries Policy Statement's approach to climate impacts and adaptation. There are requirements relating to the fisheries sector in the Climate Change (Northern Ireland) Act 2022 and these apply to inland fisheries. Policies and proposals for the fisheries sector are included in the draft Climate Action Plan. These proposals will support the preparation of fisheries sector for its transition towards

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		more efficient vessels and low emission fuels. These are costed for the fisheries sector as whole.
28	Minimising adverse effects and adaptation suggests that there may be a need for mitigating actions or support. What role will DAERA have to play here and what specific form would any such support take?	The Department's role would be to take account of climate impacts and adaptation in fisheries and aquaculture policy. Any specific measures or support would depend on the evidence, identified risks and available resources. Inland fisheries are eligible to make applications to the Marine Environment and Fisheries Fund for financial assistance for projects relating to climate change mitigation and adaptation.
29	Section 9b within Clause 1 of the Bill establishes the **definition of a proposed "precautionary approach to fisheries management".** Will the definition of the precautionary approach present particular problems for inland fisheries management within NI?	The definition in Clause 1 is consistent with precautionary principle in the Environmental Principles Policy Statement (EPPS) for Northern Ireland. DAERA officials will follow the advice for policymakers that is set out in the EPPS when considering any particular problem that arises relating to inland fisheries management.
30	How will the objective actually operate given the limits of existing data?	Subject to the Department determining how this objective is to be interpreted it is considered that, where data is limited, decisions would be informed by the best available scientific advice, taking account of uncertainties and the risks involved. Incomplete data would not, of itself, prevent proportionate precautionary measures. Any further evidence available could inform whether those measures remained appropriate.

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31	**Preparation, publication and laying -** What would 'having regard' to any representations made around the consultation draft actually mean in real terms?	The interpretation of legislation is a matter for the courts however a general interpretation could be that "Having regard" means giving genuine consideration to representations received before finalising the Statement, including whether changes to the draft are appropriate. It does not require every suggested change to be adopted, but the Department should be able to explain its consideration of the main issues raised and the reasons for its approach.
32	Is there means for stakeholders to challenge the status of the finalised statement if they believe that the Department did not have regard for their representations?	The statement will be laid in the Assembly which provides opportunity for MLAs to make representations on behalf of stakeholders. Further to Assembly scrutiny, any decision of the Department is open to challenge by way of Judicial Review.
33	Whilst the finalised statement is to be laid before the Assembly, should the AERA Committee have a more formalised role in considering and approving the Inland Fisheries Policy statement?	. With the development of any Departmental policy, the Committee will be involved from the outset and throughout the process.

Clause 6 - Powers to make Regulations		
34	What is the justification for DAERA seeking this increased range of powers?	The increased range of powers is intended to provide the Department with greater flexibility to address fisheries, and aquaculture management needs as scientific evidence, stock status and environmental conditions change, without requiring primary legislation on each occasion. The proposed section 26 would define the purposes and scope of those powers, and

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		regulations made under them would be subject to the applicable Assembly procedures.
35	How many Regulations does DAERA envisage bringing forward under the provisions of Clause 6 in the years ahead and in what specific policy areas?	The number of regulations that may be brought forward under Clause 6 cannot be reliably predicted at this time. The specific policy areas to be addressed cannot yet be identified, as the use of these enabling powers would depend on identified needs and priorities, within their statutory purposes and scope.
36	What functions does DAERA envisage conferring on persons or bodies under the auspices of subsection 3a?	The provision would allow regulations to confer functions, including discretionary functions, on a person. Whether particular functions would be conferred, and on whom, would depend on the purpose and content of any regulations proposed, within the scope of the statutory power.
37	How many of the Regulations that DAERA intends to bring forward under the provisions of this clause will be subject to draft affirmative Assembly procedure, as set out in subsection 5?	The number of regulations that would be subject to draft affirmative Assembly procedure cannot be reliably predicted at this time, as this would depend on the number and content of the regulations brought forward. That procedure would apply where regulations contain provision of a kind specified in proposed section 26(5).
38	How many Regulations does DAERA envisage will be subject to negative resolution as set out in the proposed amendment to Section 19(2) of the 1966 Fisheries Act? Will this apply to the majority of potential Regulations moving forward?	The amendment to 19(2) is being made to accommodate the proposal in the new section 26 of the 1966 Act (clause 6) for the draft affirmative procedure being introduced into the 1966 Act for certain provisions.

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		The number of regulations that would be subject to negative resolution cannot be reliably predicted at this time.
Clause 7 - Enforcement Powers		
39	Can DAERA confirm that the adoption of powers provided by the Marine and Coastal Access Act 2009 will supplement rather than replace existing powers under the outlined provisions within the Fisheries (Northern Ireland) Act 1966 and the Sea Fisheries Act 1968?	Yes – adopting the common enforcement powers in the MACAA 2009 will supplement the existing powers in the 1966 Act and align with powers available to fisheries enforcement officers in other parts of the UK.
40	Does DAERA have any plans to repeal the existing enforcement provisions under the 1966 and 1968 Acts?	There are no plans to change the enforcement provisions.
41	In the absence of any repeals could the field of enforcement become more complicated given what appear to be areas of potential overlap?	The enforcement of legislation is specific to a particular function, and the Department does not see any potential confusion being introduced by the provisions in the Bill.
42	Would DAERA enforcement officers be adequately trained and resourced to deliver the new powers that Clause 7 would deliver? Would these officers be adequately trained to utilise their additional powers on the day after Royal Assent, when this section of the Bill would come into force?	The training of enforcement officers is an ongoing part of the Department's work, and these officers will be able to apply the additional powers when they come into operation.

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43	Has any assessment been made by DAERA of the potential costs for additional required training, equipment or administration to enable use of these additional powers?	Enforcement is part of the Department's role and any minor additional costs on training has been considered. Any additional costs associated with the administration of enforcement will be assessed as part of the Department's operational needs.
44	With specific regard to the additional power, enabling the use of reasonable force, as set out in Section 261 of the 2009 Act, what guidance will DAERA be providing to local enforcement officers on the potential use of this power?	The Department is considering how this has been used by enforcement officers in neighbouring jurisdictions and will seek to uphold the same standard.

Clause 11 – Use of fixed penalty notices for certain offences under the 1966 Act		
45	Clause 11 identifies those offences within the 1966 Act for which DAERA may seek to utilise fixed penalty notices. What process did DAERA employ to determine those offences within the 1966 Act to which Fixed penalty notices could apply?	The offences identified are considered to be minor offences and are mainly connected to breaches of technical requirements. However, the option not to issue an FPN in cases where the offence is considered to be more appropriate for the courts to determine will be retained Any proposed regulations to introduce FPNs for a particular offence will be subject to public consultation, stakeholder engagement and ultimately the draft affirmative procedure
46	If the rationale is that fixed penalty notices should be deployed in instances of minor offences, what criteria were used in this determination?	These are mainly breaches of technical or administrative requirements. Recourse to the courts is retained for more serious incidents.

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		Rationale for FPNs is for an alternative option to prosecution through courts whilst reserving offences of a more serious nature to be dealt with by the courts alone.
47	Is the assumption valid that all the offences identified in Clause 11 are minor offences?	While these have been identified as minor offences, the scale of the offence will need to be taken into consideration on whether to proceed with a FPN or to proceed with Court proceedings.
48	Given the low levels of conviction for offences under the 1966 Act over the last 5 years (as set out in Section 3.2) is the proposed introduction of fixed penalty notices in the areas listed in Clause 11 an admission that the existing offences and penalties are not effective?	No – this will remove the criminality for certain offences and provides a swifter and more proportionate method to address non-compliance and to encourage compliance.
Clause 13 – Regulations relating to fixed penalties		
49	Clause 13 within the Bill sets out those provisions which the fixed penalty notices, referenced in Clauses 11 and 12, would have to include: What specific circumstances would enable proceedings for an offence to be commenced after the payment of a fixed penalty in relation to that offence? This is potentially significant, given the general assumption that payment of a fixed penalty results in the discharge of liability to prosecution for that offence.	There may be occasions where is right that court proceedings take place after a penalty has been paid in other jurisdictions this has been used where penalty notices have been issued to different persons for the same offence arising out of the same set of circumstances (connected penalties) and whereby payment by one person is treated as being payment from the other, only if none of the other persons object to the penalty being treated as having been paid and they would remain liable for their offence.

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		The Department will consider this further and will form part of the policy development.
50	Would a repeat offence qualify as a specific circumstance?	The issue of repeat offences under the FPN scheme will be considered as part of the policy development for this matter. The option to prosecute still remains an option.
51	Why is there no consideration of repeat offences as an area that fixed penalty notice Regulations may make provision for?	As above at line 50.
Clause 18 – Transfer of aquaculture licences		
52	What demand or evidence has informed DAERA's to propose the introduction of this new provision?	The existing aquaculture licensing provisions in the 1966 Fisheries Act contain no express provision for the transfer of licences following a change in business ownership. In practice, the Department has managed these circumstances through licence amendments. The demand for this provision is shown by the number of applications to amend the licence holder on existing licences in recent years. Feedback from licence holders during stakeholder engagement also indicated that this was a desirable provision. Clause 18 aims to address this, introducing a specific provision to enable licence transfers where appropriate, on application by the licence holder.

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53	The proposed subsection 2(d) within the proposed section 11D makes it clear that DAERA will determine the fee for an aquaculture licence transfer. What is this fee likely to be, and will the creation of such a fee require Regulation?	This is an administrative power and does not require regulations and can be set by the Department. Fees will be set in accordance with Managing Public Money NI guidance document.
54	What will be the driver around any fee – cost recovery or affordability for applicants?	In line with Managing Public Money Northern Ireland guidance and the fee setting for other licensing functions in the Department, fees will aim to recover the costs incurred by the Department.
55	What checks and balances will there be to protect current licence holders from potentially fraudulent attempts to deprive them of their licence?	A licence transfer can only be initiated by the holder of the licence. The Department would not transfer a licence solely on request of a third party and would undertake appropriate verification checks before approving any transfer. Therefore, it isn't considered a possibility that a third party could fraudulently deprive a licence holder of their existing licence.

Clause 19 – Fitness for fish dealer's licence – definition		
56	What criteria or data will DAERA use in these considerations and what will be the threshold for either approval or renewal?	The purpose of the provision is to enable the Department to consider whether it is appropriate to grant or renew a fish dealer's licence rather than requiring grant solely because the prescribed application requirements have been met. The matters relevant to that assessment will need to be applied transparently, consistently and proportionately and in accordance with the statutory provision. The Department does not intend the provision to operate through an arbitrary numerical threshold. Further guidance on the matters that will inform decisions will be developed as necessary to support consistent decision-making.

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57	Additionally, will any such criteria have any effect on the existing appeals process for refusal of either a licence or licence renewal set out in section 116 of the 1966 Act?	No. The proposed change does not remove the existing appeal mechanism in section 116. Where the Department refuses to grant or renew a dealer's licence, section 116 requires the applicant to be notified of the grounds for refusal and of the right of appeal. The applicant may appeal to the county court within 28 days of service of that notice. Any fitness or suitability considerations applied by the Department would therefore form part of the licensing decision capable of being considered through that existing appeal process.
Commencement date		
58	What is the rationale behind Part 5 of the Bill not coming into operation on the day after Royal Assent?	Delaying commencement is to allow time to avail of the power in the new section 11(7) in clause 15 to exclude certain businesses, such as pet shops, from the requirements of Part 5. An amendment has also been tabled to enable the power to make these regulations to come into effect on Royal Assent to enable the draft affirmative procedure to commence prior to Part 5 coming into full effect. It will also allow DAERA to ensure that the necessary operational arrangements are in place before the provisions become effective, providing clarity and certainty for those affected by the legislation and supporting a smooth implementation.
59	When would DAERA envision Part 5 coming into operation and which of the options set out in subsection 3 is the most likely outcome and what would this actually look like?	A definitive commencement date has not been set but an indicative date of 6 months post-Royal Assent is considered realistic.

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		It is intended that all remaining sections of part 5 will commence in their entirety, without the need for additional transitional, transitory or savings provisions.
REVIEW OF COSTS		
BUDGET		
1.	Facing serious budgetary challenges and competing pressures, how would the Minister ensure there would be appropriate resourcing to ensure the Bill's full implementation if enacted as introduced?	Implementation of the Bill is not expected to require additional staffing resources, with associated costs being accommodated within existing budget provisions.

2.	How did the Minister of AERA factor in potential public purse costs arising from the Bill, when making its return for the Department of Finance's Budget 2025-28 Information Gathering Exercise?	Implementation of the Bill is not expected to require additional staffing resources, with associated costs being accommodated within existing budget provisions.
3.	Was the Minister for Justice consulted on DoJ's assessment of any public purse costs arising for the wider justice system from the Bill?	The Justice Minister is aware of the contents of the Bill and raised no concerns
DAERA Consultations		
4.	Why did the consultation not include any other questions concerning potential public purse implications arising from the introduced Bill?	It is anticipated that no direct financial implications for the public purse will arise from the introduction of the Bill.

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Policy Statement Development		
5.	Provide clarification as to the difference between the framework proposal in the RIA and the policy statement which is included in Bill? And, any potential cost impact that could arise for differences between a framework and a statement?	The policy statement will set out the framework which will govern fisheries management. There will be no additional cost impact.
6.	Provide clarification on whether the cost of DAERA producing the Inland Fisheries Policy Statement is included in the £229,511 per annum staff costs identified in the Bill's accompanying EFM? If no, does DAERA assume that the development of the Policy Statement would be absorbed into DAERA's existing workload?	No - the cost of producing the Inland Fisheries Statement is business as usual having no additional budgetary implication.
Training		
7.	Provide any analysis that has been undertaken in relation to the potential cost of providing training to enforcement officers.	The training of enforcement officers will be accommodated within existing budget and is subject to Departmental processes.
Penalties under Current Provisions		

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8.	RaISe have highlighted that inconsistencies exist in the individual data reporting on prosecutions and convictions for offences arising from the 1966 Act, 1967 Act and 1999 Order, provided by DAERA and DoJ. We are aware that each compile data using different approaches but please provide any underlying rationale, to establish why the reported numbers were different?	The Department notes there are differences between the data researchers received from the DoJ and data received from DAERA in relation to prosecution and conviction statistics, however, without seeing the underlying data supplied by the DoJ it is difficult to determine the inconsistencies and the Department could not make comment. The differences may have arisen due to how data is recorded, correlated and amalgamated by each Department but without seeing which specific cases the DoJ are referencing in their table we are only surmising.
9.	Please clarify the number of prosecutions and convictions that occurred between 2021 and 2025?	The table previously provided for Water Order cases sets out the number of court prosecutions and outcomes.
Potential Income from fines		
10.	Has DAERA considered introducing legislative provisions that would allow any such fine income to be retained and applied towards the costs that could be incurred when implementing the Bill?	See Question 10 above – The Department considered the relevant legislation and has not included provisions to amend these.

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