EXPLANATORY MEMORANDUM TO

The Conservation of Scallops (Amendment) Regulations (Northern Ireland) 2026

SR 2026 No. 000

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) and (2) of the Fisheries Act (Northern Ireland) 1966.

2. Purpose

2.1. These Regulations amend the Conservation of Scallops Regulations (Northern Ireland) 2008 ("the Principal Regulations").

2.2. These Regulations address the obvious risk to queen scallop fisheries when fishing using dredge in the Northern Ireland territorial sea by restricting the maximum limit allowed to six per side, the same limit for fishing king scallops as provided for in the Principal Regulations.

2.3. The prohibition imposed by this Statutory Rule does not apply to any person operating under the authority of, and in accordance with a permit granted under section 14 of the Fisheries Act (Northern Ireland) 1966 for scientific purposes.

3. Consultations

3.1. The Department's Inshore Fisheries Partnership Group considered and agreed to the proposed amendment in this draft Statutory Rule to close this loophole and prevent potential over exploitation of queen scallops in Northern Ireland waters out to 12 miles by vessels deploying more than 6 dredges per side. This group includes representatives of the two Northern Ireland fish producer organisations, both of whom support this proposed amendment.

3.2 The Department's scallop working group for the Northern Ireland Non-Quota Shellfish Fisheries Management Plan (FMP) has agreed to this legislative amendment. The responses to the consultation on that draft FMP did not elicit any opposition to this proposal.

4. Equality Impact

4.1. The proposals set out in this regulation were screened out from requiring an equality impact assessment.

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5. Regulatory Impact

5.1. Extending the dredge limits and technical specifications to the queen scallop fishery will have limited impact on the Northern Ireland fleet, as the majority of vessels do not use dredges when fishing for queen scallops in NI waters.

6. Financial Implications

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

7. Section 24 of the Northern Ireland Act 1998

7.1. This Statutory Rule is compliant with 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 Fiona Taylor (02844618700) at the Department of Agriculture, Environment and Rural Affairs or e-mail patrick.smith@daera-ni.gov.uk or seafisheries@daera-ni.gov.uk.

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