Strategic Planning and Corporate Services Group
Strategic Support Directorate

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

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

FROM: **PAUL MCGRANAGHAN**
DAERA DALO

DATE: **06 NOVEMBER 2026**

TO: **DR. JANICE THOMPSON**
AERA COMMITTEE CLERK

SL1 - The Conservation of Scallops (Amendment) Regulations (Northern Ireland) 2026

Summary: The Department is bringing forward a Statutory Rule for the conservation of queen scallops.

Business Area: Marine and Fisheries Division

Issue: To invite the AERA Committee to consider the proposal to make the Conservation of Scallops (Amendment) Regulations (Northern Ireland) 2026 which would provide for the management of queen scallops in Northern Ireland waters out to 12 miles.

In accordance with the Red Book on Subordinate Legislation, this SL1 advises the AERA Committee of the proposal for the Statutory Rule, its purpose, background and implications.

Restrictions: None

If you are deaf or have a hearing difficulty you can contact the Department via the Next Generation Text Relay Service by dialling 18001 + telephone number.

INVESTORS IN PEOPLE®
We invest in people Standard

Action Required: That you note and consider the contents of this SL1.

Officials Attending: Gareth Dillon (Deputy Director, Marine and Fisheries Division),
Fiona Taylor (Head of Sea Fisheries Policy Branch),
Patrick Smith (Sea Fisheries Policy Branch).

Background

The Department of Agriculture, Environment and Rural Affairs proposes to make the above-named Statutory Rule under powers conferred on it by sections 19(1), and 124(1) and (2) of the Fisheries Act (Northern Ireland) 1966. These powers provide that the Department may make such regulations as appear to it to be expedient for the management, conservation, protection, improvement or increase of sea-fisheries.

The Statutory Rule is subject to the Assembly's negative resolution procedure.

Purpose of legislation/policy background

The Conservation of Scallops Regulations (Northern Ireland) 2008 (Principal Regulations) provide for management measures for the conservation of scallops in Northern Ireland waters out to 12 miles. These measures include amongst others technical specifications for fishing with dredges. The Principal Regulations only apply to fishing for king scallops.

The policy intention for the proposed amendments to the Principal Regulations is that the restrictions on use of dredges should also apply when fishing for queen scallops in the same waters. There is an obvious risk to queen scallop fisheries in Northern Ireland by vessels deploying more scallop dredges than the maximum limit of six per side allowed for fishing king scallops in the Principal Regulations.

In two of the previous 5 years there have been significant landings of queen scallops using dredges, from ICES sub rectangle 39E3, the majority of which is located in the 0-12 nautical mile limit in Northern Ireland waters. These landings have been by UK vessels greater than 20 metres in length, none of which were registered to ports in Northern Ireland. These vessels have the capacity, when fishing for queen scallops to deploy more than 6 dredges per side maximum limit for fishing for king scallops. The one NI vessel that has landed queen scallops from these waters in this period does not have the capacity to deploy more than 6 dredges per side.

Previous Engagement with the Committee

None

Financial Implications

There are no financial implications for DAERA in introducing the proposed amending regulations.

If you are deaf or have a hearing difficulty you can contact the Department via the Next Generation Text Relay Service by dialling 18001 + telephone number.

INVESTORS IN PEOPLE®
We invest in people Standard

Consultation

The Department's Inshore Fisheries Partnership Group has 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.

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

Compliance with Section 24 of the Northern Ireland Act 1998

The Departmental Solicitor's Office, in its scrutiny of the draft Statutory Rule, has been asked to check that it is compliant with section 24 of the Northern Ireland Act 1998.

Consideration by the Executive

Not applicable.

Equality Impact

There are no equality implications with this proposed amendment. The "equal access objective" in the Fisheries Act 2020 applies for access of UK fishing boats to the Northern Ireland 0-12 nautical mile zone, and UK vessels (regardless of where in the UK they are registered) deploying dredges to fish queen scallops in this area will be bound by the dredge limits.

Regulatory Impact

The majority of UK vessels using dredges to catch queen scallops in Northern Ireland 0-12 nautical mile zone waters are the larger vessels registered to Scottish ports. Extending dredge restrictions to queen scallops will have negligible impact on the Northern Ireland fleet, as these vessels typically use otter trawls for this fishery.

Rural Needs Impact

The proposed action will not directly impact the typical activity of NI registered scallop vessels fishing for queen scallops in the Northern Ireland 0-12 mile zone. The conservation of queen scallops therein will be protected from potential over-exploitation by larger vessels who have the capacity to deploy many more dredges than is currently permitted when fishing king scallops in the same sea area.

Data Protection Impact

N/A

If you are deaf or have a hearing difficulty you can contact the Department via the Next Generation Text Relay Service by dialling 18001 + telephone number.

INVESTORS IN PEOPLE®
We invest in people Standard

Child Rights Impact

N/A

Position in Great Britain (if appropriate).

England: Inshore waters (0-6 miles) in England are managed by the Inshore Fisheries Conservation Authorities. Measures include amongst others, controls on the number and type of dredges, with dredging prohibited entirely in some locations within IFCA areas.

Scotland: There is no targeted fishery for queen scallops in Scottish territorial waters.

Isle of Man: There is no dredge fishery for queen scallops in the Isle of Man in 2026.

Any other information

None

Proposed timing of consideration of the SL1

The SL1 has been listed on the workplan for consideration at the AERA Committee meeting on 10 December 2026.

Proposed Operational Date

It is proposed that the rule will come into operation in early 2027.

The draft of the proposed Statutory Rule and Explanatory Memorandum are attached, and you will wish to bring this matter to the attention of the Committee for Agriculture, Environment and Rural Affairs.

This SL1 is being copied to the Human Rights Commission and Equality Commission.

Yours sincerely,

[redacted]

Paul McGranaghan
Departmental Assembly Liaison Officer

Annex A: **Draft SR The Conservation of Scallops (Amendment) Regulations (Northern Ireland) 2026**

Annex B: **Explanatory Memorandum To The Conservation of Scallops (Amendment) Regulations (Northern Ireland) 2026**

If you are deaf or have a hearing difficulty you can contact the Department via the Next Generation Text Relay Service by dialling 18001 + telephone number.

INVESTORS IN PEOPLE®
We invest in people Standard

Cc: **Human Rights Commission**
Equality Commission

If you are deaf or have a hearing difficulty you can contact the Department via the Next Generation Text Relay Service by dialling 18001 + telephone number.

INVESTORS IN PEOPLE®
We invest in people Standard