



The Fisheries and Water Environment Bill

Consultation Summary



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

INVESTORS IN PEOPLE®
We invest in people Standard

Introduction

The Department of Agriculture Food and Rural Affairs (DAERA) would like to hear from you. We are planning to develop a new Fisheries and Water Environment Bill, and we want you to tell us what you think. You can do this by answering our questionnaire between **3rd July 2025 and 11th September 2025**. This questionnaire is called a consultation which is like a survey where we ask you questions relating to fishing and aquaculture in the marine and aquatic environment¹; and other connected things. When the consultation closes, we will look at all the replies we get and consider them in relation to helping us draft the Fisheries and Water Environment Bill, to be made into law by 2027.

There are a few ways for you to tell us what you think:

1. Online by answering the questions at this link [The Fisheries and Water Environment Bill online survey](#)
2. By emailing your responses to [MarineandFisheriesBillTeam](#)
3. By writing to us at:

Fisheries and Water Environment Bill Team
Marine and Fisheries Division
Department of Agriculture, Environment and Rural Affairs
Ground Floor West
Clare House
303 Airport Road West
Belfast
BT3 9ED

When responding, please state whether you are doing so as an individual or representing the views of an organisation. If you are responding on behalf of an organisation, please make it clear who the organisation represents, and where applicable, how the views of its members were assembled.

¹ Fisheries Act 2020

DAERA has completed a full Impact Screening on the proposals. The Department welcomes any comments you might have on the documents.

Confidentiality

The Freedom of Information Act 2000 gives the public a right of access to any information held by a public authority, DAERA in this case. This includes information provided in response to this consultation.

The Department will publish a summary of responses to the consultation. This will include a list of names of organisations that responded but not personal names, addresses or other contact details.

The Department cannot automatically consider information supplied to it in response to a consultation, to be confidential. However, it does have a responsibility to decide whether any information provided by you in response to a consultation, including information about your identity, should be made public or treated as confidential. If you do not wish information about your identity to be made public, please include an explanation in your response. Please be aware that confidentiality cannot be guaranteed, except in very particular circumstances. Please note, if your computer automatically includes a confidentiality disclaimer, it won't count as a confidentiality request.

Should you respond in an individual capacity: the Department will process your personal data in accordance with the Data Protection Act 1998. This means that your personal information will not be disclosed to third parties should you request confidentiality. For further information about confidentiality of responses please contact the Information Commissioners Office (see its website at www.ico.org.uk).

Why are we doing this consultation?

The Department relies on the Fisheries Act (Northern Ireland) 1966 as a key piece of primary legislation which guides the work in relation to fishing and aquaculture. New

legislation is needed to modernise and give effect to Northern Ireland's fisheries policies so that these are consistent with the fisheries management framework provided by the UK Fisheries Act 2020.

The issues that fisheries and aquatic ecosystems are facing have changed significantly since the Fisheries Act (Northern Ireland) 1966 (the 1966 Act) was introduced and terminology and assumptions within it no longer reflect how things look.

DAERA intends to make new primary legislation that will deliver on the Department's vision for vibrant, profitable and sustainable inland fisheries with healthy ecosystems, resilient fish populations and aquatic habitats. This will help to modernise enforcement powers and protect sensitive marine environments and limited fish-stocks.

What does this mean for you?

You now have the opportunity to review the planned policy proposals (below) and give your opinion on how you feel these will / could have an effect on your lives, the industries involved and the wider environmental impact.

Policy Proposals

Inland Fisheries and Aquaculture objectives

Policy Intent - The Department wishes to modernise the approach to inland fisheries and aquaculture management to ensure consistency with wider UK marine and aquatic approaches.

Modernising the Fisheries Act (NI) 1966 is an opportunity to provide a legislative framework that sets fisheries and aquaculture management within an ecosystem-based context and supports integrated management across the full range of habitats in a fish life cycle. This would be consistent with the approach followed in the UK Fisheries Act 2020.

The starting point is to establish objectives for inland fisheries and aquaculture which will provide the basis for managing these activities. The proposed objectives are adapted from the UK Fisheries Act 2020. These objectives will frame our policies for the protection conservation and improvement of fisheries, fish stocks, and the aquatic environment and protecting or improving the health of fish or aquatic animals. This in turn is the basis for supporting and enabling sustainable and productive fisheries (recreational and commercial) and aquaculture.

The Department will publish an overarching Inland Fisheries Policy Statement that will show how we have interpreted the overarching objectives and provide a framework for future policy development, fisheries management and decision making.

To support integrated ecosystem-based management the Department will continue to provide advice and assistance on matters impacting on fish and aquatic habitats to any public authority that requests it. To do so the Department will continue to collect and assess data on fish stocks. This will require data collection on recreational and commercial activity.

We propose to modify the power to make regulations currently within the Fisheries Act (NI) 1966 to ensure that the Department can take action by regulation for the protection, conservation and improvement or restoration of fish stocks, fisheries and aquatic habitats. This would be broadly similar to the powers provided for marine fisheries in the UK Fisheries Act 2020 Schedule 8 Part 3.

Management of Recreational Inland Angling

Policy Intent - We will manage the inland recreational angling in accordance with the fisheries objectives. We will provide opportunities for public angling through the management of fishing rights and provision of facilities which are safe, sustainable, accessible and affordable.

Our policy aim is the protection of the natural resource for the benefit of angling.

We intend to continue to operate a licence and permit regime to support the management of recreational fishing. We consider that DAERA should retain the ability to deliver a Public Angling Estate (PAE) (and manage fishing rights) that demonstrably delivers on specific DAERA policy goals and can support delivery of other governmental policy goals.

Recognising that not all fishing rights and waters will be under DAERA ownership, we wish to retain the ability to influence and support other fishery development - this includes, where appropriate, the leasing of fishing rights to other organisations.

We would like to ensure that all fishing activity is carried out in a manner that avoids a negative impact on the stock. We therefore propose to maintain the power to introduce and amend regulations in respect of protection and conservation. This will be supported by the collection of data on recreational activity.

Management of Inland Commercial Fishing

Policy Intent - Inland commercial fisheries will operate in accordance with the fisheries objectives to ensure that current and future generations fish at sustainable levels, providing high quality food and socio-economic benefits for rural communities.

We propose to continue to use Fishery Management Plans to set out policies relating to both commercial and recreational fisheries on Lough Neagh and Lough Erne. Ongoing scientific evaluation and information on the fish population and catches is needed to demonstrate sustainability.

The inland fisheries objectives that are proposed will be consistent with this objective and we intend to manage commercial inland fisheries in line with the best available scientific advice. Where necessary, we will regulate commercial inland fisheries to ensure long term sustainability of the commercial stocks and to manage potential adverse impacts on other species and the aquatic environment.

We seek to maintain the power to regulate commercial fisheries through licensing powers and to implement a mechanism of catch reporting for commercial fisheries to support management

Aquaculture

Policy Intent – *The Department wishes to ensure a comprehensive, transparent licensing system for aquaculture, which supports the sustainable development of all aquaculture sub-sectors in NI.*

The UK Fisheries Act 2020 and associated Joint Fisheries Statement (JFS) highlights the importance of aquaculture to the UK. The Department recognises there is potential for future sustainable development and innovation of aquaculture and a review of current licences is inescapable to support development considerations.

In the marine area, the Department intends to explore better alignment of aquaculture licensing to Marine Licensing, allowing aquaculture to be licensed in line with the marine licensing process laid out in the Marine and Coastal Access Act 2009. For inland operations, the Department wants to explore a system similar to that employed elsewhere in the UK, where there is no independent Fish Culture Licence, but all elements of regulation are covered by existing consents (e.g. abstraction licensing, discharge consent, aquatic health approval etc). Any proposal would need to get planning approval from the planning authority and the Department would act as a statutory consultee and advisor in this process. This policy will clarify and simplify existing processes and ensure transparency to stakeholders in respect of aquaculture licence applications.

Enforcement – Inland and Sea Fisheries

Policy intent – *DAERA wishes to ensure that there is a consistent enforcement regime with appropriate powers to ensure that ecosystem health is prioritised and supported.*

The Fisheries and Water Environment Bill aims to provide the Department with sufficient enforcement powers:

- **Common Enforcement Powers** - The aim of this proposed policy is to ensure that DAERA staff can ensure a consistent enforcement regime to support ecosystem health and sustainable fish stocks within the NI jurisdiction.
- **Introduction of Fixed Penalty Notices (FPNs) and Fixed and Variable Monetary penalties (FMPs/VMPs)** - The policy would introduce a more flexible system including civil sanctions like fixed and variable monetary fines, in addition to criminal sanctions to act as a deterrent for low to moderate breaches of regulations
- **Increased maximum penalties** - The policy would seek to align penalties with those in GB, and already available to Marine Licensing in Northern Ireland, as introduced by the Marine and Coastal Access Act 2009. This would raise the maximum fine to £50,000 for a range of offences under various legislation. Greater penalties enforceable through the courts would be introduced for ecosystem degradation offences. Introducing this policy would enable officers to deliver their statutory obligations effectively.

Permitting of Sea Fishing Activities in the Northern Ireland Zone

Policy Intent - *The Department wishes to ensure improved management and regulation of in-shore fisheries.*

It is proposed to provide DAERA with enabling powers to make regulations which would specifically allow for permitting arrangements for sea fishing and therefore provide for improved management and regulation of inshore fisheries. The policy intention is to provide for the option to introduce permitting arrangements in the NI zone, for example, in specific areas or for a specific species only. It is proposed that permit arrangement should apply to vessels, for both commercial and recreational fishing activities, and also to individuals. The permit arrangement could also apply to the regulation of sea-angling in terms of licensing, permitting and evidence gathering.

It is proposed that the primary legislation would allow for permits to contain detailed conditions, and for DAERA to limit the number of permits issued, if necessary, to revoke permits where there have been breaches of the permit conditions and to allow for the introduction of charging for issuing such permits.

What will the department do next?

When the Consultation period ends (11th September 2025) DAERA staff will collate and analyse the feedback received and consider any responses required. The Department will assess how any of the responses may affect the Impact Assessments completed prior to the Consultation and update these as necessary. DAERA will then publish a response within 12 weeks of the consultation end date, detailing how the replies have influenced any decisions for the policy areas included. This will be available online on DAERA's website www.daera-ni.gov.uk

Summary of policy intents and consultation questions

Policy Proposal Title	Policy Intent	Consultation Question(s)
Inland Fisheries and Aquaculture Objectives	The Department wishes to modernise the approach to inland fisheries and aquaculture management to ensure consistency with wider UK marine and aquatic approaches.	<p>Do you agree that the objectives proposed for inland fisheries and aquaculture will provide a good basis for managing these activities?</p> <p>Do you agree that it will be beneficial to publish an Inland Fisheries Policy Statement that will provide a framework for future policy development, fisheries management and decision making?</p> <p>Do you agree that DAERA should have regulation making powers for the purpose of conserving, improving or restoration of inland fish stocks?</p> <p>Do you agree that DAERA should have regulation making powers for the purpose of protecting inland waters from the effects of fishing or aquaculture?</p> <p>Do you agree that DAERA should have regulation making powers for the purpose of promoting or developing commercial fish or aquaculture activities in inland waters?</p>

The Fisheries and Water Environment Bill – Consultation Summary

Management of Recreational Inland Angling	We will manage the inland recreational angling in accordance with the fisheries objectives. We will provide opportunities for public angling through the management of fishing rights and provision of facilities which are safe, sustainable, accessible and affordable.	<p>Do you agree DAERA should continue to retain the power to acquire and manage, by agreement, fishing rights in inland waters for the purpose of developing the natural resource for the benefit of angling?</p> <p>Do you agree that DAERA should retain the regulation making powers that are available for purposes related to angling?</p>
Management of Inland Commercial Fishing	Inland commercial fisheries will operate in accordance with the fisheries objectives to ensure that current and future generations fish at sustainable levels, providing high quality food and socio-economic benefits for rural communities.	<p>Do you agree that Fishery Management Plans are beneficial for setting out policies relating to commercial fisheries in specified areas?</p> <p>Do you agree that technical conservation measures should be detailed in secondary legislation to allow for amendments as evidence becomes available?</p>
Aquaculture	The Department wishes to ensure a comprehensive, transparent licensing system for aquaculture, which supports the sustainable development of all aquaculture sub-sectors in NI.	<p>Do you agree with the proposals for the licensing of inland aquaculture operations?</p> <p>Do you agree with the proposals for licensing of marine-based aquaculture operations?</p>
Enforcement – Inland and Sea Fisheries	DAERA wishes to ensure that there is a consistent enforcement regime with appropriate powers to ensure that ecosystem health is prioritised and supported.	<p>Do you agree that DAERA should standardise enforcement powers for fisheries officers in NI and bring these into line with the rest of GB and ROI?</p> <p>Do you agree that DAERA should have a more flexible enforcement system including administrative penalties?</p>

		<p>Do you agree with the proposal to allow the most serious offences to be indictable (i.e. to be considered by a higher court, with a corresponding higher penalty for those found guilty)?</p> <p>Do you agree that the Department should increase maximum penalties for offences in relation to certain sea fisheries activities in the Fisheries Act 1966 and the Sea Fish Conservation Act 1967 to £50,000?</p> <p>If you do not agree with the proposed maximum penalties, do you have a view as to what level maximum penalties might otherwise be set at?</p> <p>Do you believe that there are any other activities which require regulation or new offences created in the Fisheries and Water Environment Bill?</p>
Permitting of Sea Fishing Activities in Northern Ireland Zone	The Department wishes to ensure improved management and regulation of in-shore fisheries.	Do you agree with the proposal to introduce permitting provisions for sea fishing in the Northern Ireland zone?

Impact Assessment Title	Purpose	Consultation Question(s)
Regulatory Impact – Draft Regulatory Impact Assessment	Considers the potential economic impact of the policy proposals for a new Fisheries and Water Environment Bill.	<p>Do you agree that the analysis of the evidence given in the accompanying draft Regulatory Impact Assessment accurately describes the potential impacts of the proposals?</p> <p>Are there other potential impacts we may not have anticipated in the accompanying draft Regulatory Impact Assessment?</p>
Equality and Human Rights Impacts	Section 75 of the Northern Ireland Act 1998 places a statutory obligation on public authorities in NI to consider how their functions impact equality of opportunity and good relations.	<p>Do you agree with the conclusion that the policy proposals do not have a differential impact on any of the Section 75 groups or on human rights?</p> <p>Are there any potential impacts of the proposals on specific groups which we may not have anticipated?</p>
Rural Needs Impact Assessment	A duty on public authorities in Northern Ireland to have due regard to rural needs when developing, adopting, implementing or revising policies, strategies and plans, and when designing and delivering public services.	<p>Do you agree the Department has fully considered the impact on rural communities in the development of the proposals?</p> <p>Are there any potential impacts of the proposals on rural communities which we may not have anticipated?</p>

Environmental Impacts	A screening process to determine whether there is a need for Strategic Environmental Assessment (SEA) for the draft proposals.	Do you agree the analysis of the evidence given in the accompanying Strategic Environmental Assessment accurately describes the potential environmental impacts of the proposals? Are there other potential impacts we may not have anticipated in the accompanying Strategic Environmental Assessment?
------------------------------	--	--

For further information:

Fisheries and Water Environment Bill Team
Marine and Fisheries Division
Department of Agriculture, Environment and Rural Affairs
Ground Floor West
Clare House
303 Airport Road West
Belfast
BT3 9ED

Tel: 02890 525011

Email: MarineandFisheriesBillTeam@daera-ni.gov.uk

Website: www.daera-ni.gov.uk



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

INVESTORS IN PEOPLE®
We invest in people Standard