

# **Explanatory Memorandum To**

## **The Donaghadee Harbour Order (Northern Ireland) 2010**

**SR 2010/141**

### **1. Introduction**

- 1.1** This Explanatory Memorandum has been prepared by the Department for Regional Development to accompany SR [insert No.] which is laid before the Northern Ireland Assembly.
- 1.2** The Statutory Rule is made under powers conferred by section 1(1) of, and Schedule 1 and Part 1 of Schedule 2 to, the Harbours Act (Northern Ireland) 1970 and is subject to affirmative resolution procedure.
- 1.3** The Rule is due to come into operation on the day after that on which it is affirmed by the Assembly.

### **2. Purpose**

The purpose of this Order is to provide the Donaghadee Harbour Commissioners with the powers to make byelaws for Donaghadee Harbour and put Donaghadee harbour on a similar footing to other harbours in Northern Ireland.

### **3. Background**

This Order provides for the Donaghadee Harbour Commissioners as the harbour authority for Donaghadee Harbour to make Byelaws for the harbour. This puts Donaghadee Harbour on a similar footing to other similar harbours in Northern Ireland in relation to the provisions for byelaws.

### **4. Matters of Special Interest to the Regional Development Committee**

**Article 3** of the Order sets out the detail of the Byelaw provision and making purposes and the application of Sections 91-94 of the Local Government Act (Northern Ireland) 1972, with amendments, which brings Donaghadee Harbour into line with the arrangements existing for the other similar harbours in Northern Ireland.

The effect will be to allow the Donaghadee Harbour Commissioners to make byelaws for the harbour.

### **5. Consultation**

The proposals have been subject to full public consultation and no substantive comments were received on the Order.

## **6. Position in Great Britain**

Not relevant for this Rule

## **7. Equality, Human Rights**

As part of the consultation on these legislative proposals the Department has written to all those parties in accordance with the Departments Equality Scheme. The Consultees attention was drawn to the Section 75 criteria and their views sought on any potential impacts that may arise from the implementation of these legislative proposals. The Department has considered the proposed legislative provisions against the Section 75 criteria and the responses to the consultation process and in conjunction with the Equality Unit and the Human Rights Unit has screened out the requirement for an Equality Impact Assessment in relation to these legislative proposals.

## **8. Regulatory Impact**

As part of the consultation on these legislative proposals the Department has written to all those parties in accordance with the Departments Equality Scheme. The Consultees attention was drawn to the Section 75 criteria and their views sought on any potential impacts that may arise from the implementation of these legislative proposals. The Department has considered the proposed legislative provisions against the Section 75 criteria and the responses to the consultation process and in conjunction with the Equality Unit and the Human Rights Unit has screened out the requirement for a Regulatory Impact Assessment in relation to these legislative proposals.

## **9. Financial Implications**

There are no significant financial implications arising from the proposals and a regulatory impact assessment is not required.

## **10. EU Implications**

None

## **11. Section 24 of the Northern Ireland Act 1998**

The proposed Rule has been subject to checks in relation to Section 24 and no effects on Community law or Convention rights have been identified.

## **12. Additional Information**

None

**Department for Regional Development**