



STATUTORY INSTRUMENTS.

**S.I. No. 353 of 2011**



FORESHORE REGULATIONS 2011

**(Prn. A11/1204)**

## FORESHORE REGULATIONS 2011

The Minister for the Environment, Community and Local Government, in exercise of the powers conferred on him by section 18A(1) of the Foreshore Act, 1933 (as inserted by the Foreshore and Dumping at Sea (Amendment) Act 2009 (No. 39 of 2009)), hereby makes the following regulations:

*Citation and commencement*

1. (a) These Regulations may be cited as the Foreshore Regulations 2011
- (b) These Regulations shall come into effect 8 weeks after the date of signature by the Minister.

*Interpretation*

2. In these Regulations, unless otherwise stated,
  - (i) “The Act of 1933” means the Foreshore Act, 1933 (as amended).
  - (ii) “The Regulations” mean the Foreshore Regulations 2011 (S.I. No 353 of 2011).
  - (iii) “The Minister” means the Minister for the Environment, Community and Local Government.

*Notice to certain bodies*

3. Where the Minister is considering a foreshore application, as set out under section 18A(1) of the Act of 1933, the Minister may seek the observations of the following bodies or Ministers, should he consider that the application relates to a function of that body or Minister:”

- (a) The relevant Local Authority (or Authorities) where the Minister considers that the proposal relates to a function of that Local Authority.
- (b) The Office of Public Works where the Minister considers that the proposal relates to a function of that office.
- (c) An Taisce, The National Trust for Ireland where the Minister considers that the proposal relates to a function of that body.
- (d) Fáilte Ireland, the National Tourism Development Authority, where the Minister considers that the proposal relates to a function of that authority.
- (e) The Environmental Protection Agency (EPA) where the Minister considers that the proposal relates to a function of that agency.

*Notice of the making of this Statutory Instrument was published in “Iris Oifigiúil” of 12th July, 2011.*

- (f) A harbour authority where the Minister considers that the proposal relates to a function of that authority.
- (g) A harbour company where the Minister considers that the proposal relates to a function of that company.
- (h) A port authority where the Minister considers that the proposal relates to a function of that authority.
- (i) The Minister for Communications, Energy and Natural Resources where the Minister considers that the proposal relates to a function of that Minister.
- (j) The Commission for Energy Regulation where the Minister considers that the proposal relates to a function of that body.
- (k) Eirgrid plc where the Minister considers that the proposal relates to a function of that company.
- (l) Inland Fisheries Ireland where the Minister considers that the proposal relates to a function of that body.
- (m) The Sea Fisheries Protection Authority where the Minister considers that the proposal relates to a function of that authority.
- (n) The Commissioners of Irish Lights where the Minister considers that the proposal relates to a function of that body.
- (o) The Irish Aviation Authority where the Minister considers that the proposal relates to a function of that authority.
- (p) The Marine Survey Office where the Minister considers that the proposal relates to a function of that office.
- (q) The Marine Institute where the Minister considers that the proposal relates to a function of that institute.
- (r) The Minister for Agriculture, Fisheries and Food where the Minister considers that the proposal relates to a function of that Minister.
- (s) The Minister for Arts, Heritage and the Gaeltacht, where the Minister considers that the proposal relates to a function of that Minister.
- (t) Any other Minister of Government where the Minister considers that the proposal relates to a function of that Minister, or any other body where the Minister considers that the proposal relates to a function of that body.

*Time frames for consultation*

4. Where the Minister has sought the observations of a Minister, Department, agency, authority or other body covered by Regulation 3 of these Regulations, the aforementioned shall provide their observations to the Minister within 4 weeks of the date of the referral to them of the application, or within 8 weeks of the date of the referral to them of the application where an application proposes the undertaking of development of a class for the time being specified under Article 24 of the European Communities (Environmental Impact Assessment) Regulations 1989 (S.I. No. 349 of 1989), or under any provision amending or replacing said Article, or where the Minister has required the applicant to submit an environmental impact statement in respect of the proposed development.

5. Where the Minister is of the opinion that it is necessary to seek further information in relation to an application, the Minister may extend the time frame for consultation to a period he considers reasonable.



GIVEN under the Official Seal of the Minister for the Environment,  
Community and Local Government,  
this 30 day of June 2011.

PHIL HOGAN,  
Minister for the Environment, Community and Local  
Government.

EXPLANATORY NOTE

*(This note is not part of the Instrument and does not purport to be a legal interpretation)*

The purpose of these regulations is to prescribe bodies for consultation and submission of observations to the Minister for the Environment, Community and Local Government in respect of an application for a foreshore lease, licence or permission and to prescribe a statutory time limit for such consultations.

These regulations come into effect 8 weeks after their signing by the Minister for the Environment, Community and Local Government.

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ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR  
Le ceannach díreach ón  
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