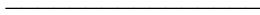




STATUTORY INSTRUMENTS.

S.I. No. 192 of 2026



MARITIME AREA PLANNING (EMERGENCY WORKS) REGULATIONS
2026

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MARITIME AREA PLANNING (EMERGENCY WORKS) REGULATIONS
2026

I, TIMMY DOOLEY, Minister of State at the Department of Climate, Energy and the Environment, in exercise of the powers conferred on me by section 98(4) of the Maritime Area Planning Act 2021 (as amended) (“the Act”), and after consultation with the Maritime Area Regulatory Authority (“MARA”), hereby make the following regulations:

Citation

1. These Regulations may be cited as the Maritime Area Planning (Emergency Works) Regulations 2026.

Relevant Works

2. (1) The relevant works to which section 98 of the Act applies are -

- (a) Repairs of an urgent nature to submarine telecommunications cables in situations where the absence of immediate action is likely to significantly affect the connectivity or security of the State or of any other state;
- (b) Repairs of an urgent nature to submarine energy cables in situations where the absence of immediate action is likely to significantly affect the electrical supply available to the State or to another jurisdiction; and
- (c) Within the jurisdiction of a port or harbour, repairs of an urgent nature to river walls, breakwaters, training walls, fingers, extensions, quay walls, jetties, wharfs, quays, piers, piles and anything capable of mooring a vessel, where there is a risk of immediate collapse of the structure, posing a threat to life or property, or where a collapse has already taken place.

(2) The relevant works must be of a finite nature and the minimum required to –

- (a) negate the risk that gave rise to the requirement for the relevant works; and
- (b) return the infrastructure to its lawful state.

(3) In these regulations, “immediate action” means action that is required to be undertaken within 24 hours of the owner or operator of the cable in question becoming aware of the requirement for relevant works.

Relevant Person

3. A relevant person under section 98 is any person deemed by the owner or operator of the cable or of the port or harbour in question to be competent to carry out the relevant works.

Notification

4. The owner or operator of the cable to which relevant works were required, or the port or harbour in whose jurisdiction the relevant works took place, must notify MARA in writing within five working days of the works having taken place and such notification shall include –

- (a) the name, position and contact details of the owner or operator in question;
- (b) the name, position and contact details of the relevant person who carried out the works;
- (c) the grid reference location of the relevant works;
- (d) a statement as to the nature of the incident necessitating the relevant works and why the owner or operator in question considered the works to be an emergency;
- (e) a description of the works undertaken; and
- (f) the date or dates on which the works were carried out.

GIVEN under my Hand,
29 April, 2026.

TIMMY DOOLEY,
Minister of State for Climate, Energy,
and the Environment.

EXPLANATORY NOTE

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

These Regulations specify relevant works to which section 98 of the Maritime Area Planning Act 2021 applies. Section 98 is intended to ensure that works required in an emergency situation are not hindered by the requirement to seek a Maritime Area Consent (MAC) before the works can take place.

While regulations are not compulsory under the section, the Minister has chosen to make regulations in relation to the application of section 98 to underwater cables to provide clarity to cable operators. Section 98 is also being made applicable to emergency works required to port infrastructure.

Regulation 1 is a standard citation provision.

Regulation 2 specifies that section 98 shall apply to (i) emergency works required to underwater telecommunications and energy cables, where there is a risk to security, connectivity, or energy supply if the required works are not carried out as a matter of urgency; and (ii) emergency works to listed port infrastructure where there is a threat to life or property. Any such works must be finite and ascertainable, and the work done must be the minimum required to remove the risk.

Regulation 3 clarifies the meaning of “relevant person” in section 98.

Regulation 4 provides for the owner or operator of the cable in question to notify MARA within five days of the works having been carried out. This is in order to ensure that MARA retains comprehensive information on activities taking place in the State’s maritime area.

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