

Annex A

**PARTIAL REGULATORY IMPACT ASSESSMENT ON THE
PROPOSED FOYLE AREA AND CARLINGFORD AREA
(PRIVATE RIVER WATCHER ANNUAL RETURNS)
REGULATIONS 2015**



PROPOSED FOYLE AREA AND CARLINGFORD AREA (PRIVATE RIVER WATCHER ANNUAL RETURNS) REGULATIONS 2015

1.0 Title of proposal

The Foyle Area and Carlingford Area (Private River Watcher Annual Returns) Regulations 2015

2.0 Purpose and intended effect

Objectives

The objective of this impact assessment is to inform policy on the proposed Regulations which will:-

1. Prescribe the format of returns to be made before the 31st of January each year on behalf of persons appointed as a Private River Watcher by the person responsible for appointing them.
2. Prescribe the content of returns to be made before the 31st January each year on behalf of persons appointed as a Private River Watcher by the person responsible for appointing them.

3.0 Background

The Loughs Agency holds the management, conservation, protection, improvement and development of the inland fisheries of the Foyle and Carlingford areas as vital in fulfilling its aims and objectives as set out in the North/South Co-operation (Implementation Bodies) (NI) Order 1999, the

British-Irish Agreement Act 1999, the Foyle Fisheries Act (NI) 1952 (as amended) and the Foyle Fisheries Act 1952 (as amended).

To assist in the fulfilment of the aims and goals of the Loughs Agency, the Foyle Fisheries Act (NI) 1952 and the Foyle Fisheries Act 1952 both legislate for the appointment of Private River Watchers. Private River Watchers are empowered by the aforementioned legislation to assist in the protection of the fisheries on such part of the sea coast or in any such river or the tributaries thereof.

4.0 Rationale for regulatory intervention

Private River Watchers assist Loughs Agency staff in the protection of fisheries in the Foyle and Carlingford areas. They are required to have returns made on their behalf by the person responsible for their appointment to the Loughs Agency before the 31st January each year under Section 55(8) of the Foyle Fisheries Act (NI) 1952 and Section 56(8) of the Foyle Fisheries Act 1952. The purpose of these returns is to indicate to the Loughs Agency who and how many people there are protecting each fishery within the Agency's areas so that the Agency can be better informed and therefore manage its resources in these areas more effectively and efficiently. The returns will give the Loughs Agency the information it believes is necessary to continue to proficiently monitor fisheries in an effectual manner.

5.0 Consultation

Within government

Government Departments will be routinely consulted as part of the public consultation exercise.

Public consultation

A public consultation exercise with stakeholders will be undertaken. The proposed regulation has been screened for equality implications and there are no equality issues for any of the groups highlighted in section 75 of the Northern Ireland Act 1998.

6.0 Options

Option 1: Do nothing.

Option 2: Educate PRW in need to make returns

Option 3: Change regulations

Option (1) - Do nothing.

This is not a viable option. The Foyle Fisheries Act (NI) 1952 and the Foyle Fisheries Act 1952 both state that the Loughs Agency may prescribe the form and information content of returns to be made. If the Loughs Agency fails to introduce these proposed regulations then it will fail in its attempts to garner the information necessary to develop a full and effective accrual of information. This information is important as it allows the Agency to be fully aware of the activities of those appointed to assist in the protection of fisheries and thus shape decision making on fisheries protection. Without this information the overall efficiency of the service provided by the Loughs Agency will not measurably improve as it would do if the Regulations were introduced.

Option (2) – Educate Private River Watchers / Club members who appoint Private River Watchers in need to make returns

This option would involve bringing all Private River Watchers to one location for training and instruction on the value of making returns. Although they do not make the returns directly, they still have a significant level of input into the returns and as such can ensure whether the returns have been successfully made in their name or not. Whilst this change would likely have a positive effect on return numbers, the effect would not be as pronounced as it would be if returns were compulsory. It would also be less practical as Private River Watchers may live significant distances away and it would not be worthwhile for them to travel long distances for a short instruction session. Similarly, for club members who appoint Private River Watchers they would also find it impractical to travel.

Option (3) – Introduce Regulations

This option is the only viable option Loughs Agency has in terms of regulatory development.

7.0 Costs

There is no cost to local businesses. There will be no extra cost to the Loughs Agency.

8.0 Sectors and groups affected

The proposed Regulations have been screened for equality implications and there are no equality issues for any of the section 75 groups as specified in

the Northern Ireland Act 1998; however these groups will be included in the consultation process.

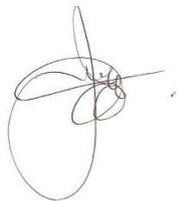
9.0 Summary and recommendation

To introduce the regulations as proposed.

10.0 Declaration and publication

I have read the Regulatory Impact Assessment and I am satisfied that the benefits justify the costs.

Signed

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Date

1st January 2015