

# PARLIAMENTARY DEBATES

HOUSE OF COMMONS  
OFFICIAL REPORT

Third Delegated Legislation Committee

DRAFT ADJACENT WATERS BOUNDARIES  
(NORTHERN IRELAND) (AMENDMENT)  
ORDER 2020

*Tuesday 6 October 2020*

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**not later than**

**Saturday 10 October 2020**

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**The Committee consisted of the following Members:**

*Chair:* JUDITH CUMMINS

- |   |  |
|---|--|
| † Afriyie, Adam ( <i>Windsor</i> ) (Con)                        | † Mangnall, Anthony ( <i>Totnes</i> ) (Con)                              |
| † Bacon, Gareth ( <i>Orpington</i> ) (Con)                      | † Moore, Damien ( <i>Southport</i> ) (Con)                               |
| Begum, Apsana ( <i>Poplar and Limehouse</i> ) (Lab)             | Smyth, Karin ( <i>Bristol South</i> ) (Lab)                              |
| † Buchan, Felicity ( <i>Kensington</i> ) (Con)                  | † Trott, Laura ( <i>Sevenoaks</i> ) (Con)                                |
| Coyle, Neil ( <i>Bermondsey and Old Southwark</i> ) (Lab)       | Twigg, Derek ( <i>Halton</i> ) (Lab)                                     |
| † Elmore, Chris ( <i>Ogmore</i> ) (Lab)                         | † Walker, Mr Robin ( <i>Minister of State, Northern Ireland Office</i> ) |
| † Griffiths, Kate ( <i>Burton</i> ) (Con)                       | Yasin, Mohammad ( <i>Bedford</i> ) (Lab)                                 |
| † Hughes, Eddie ( <i>Walsall North</i> ) (Con)                  | Zoe Backhouse, <i>Committee Clerk</i>                                    |
| † Kruger, Danny ( <i>Devizes</i> ) (Con)                        | † <b>attended the Committee</b>  |
| McKinnell, Catherine ( <i>Newcastle upon Tyne North</i> ) (Lab) |  |

## Third Delegated Legislation Committee

Tuesday 6 October 2020

[JUDITH CUMMINS *in the Chair*]

### Draft Adjacent Waters Boundaries (Northern Ireland) (Amendment) Order 2020

2.30 pm

**The Minister of State, Northern Ireland Office (Mr Robin Walker):** I beg to move,

That the Committee has considered the draft Adjacent Waters Boundaries (Northern Ireland) (Amendment) Order 2020.

The order amends the boundary of the Northern Ireland zone for the purposes of section 98 of the Northern Ireland Act 1998. It clarifies the boundary between the parts of the sea within sea fishery limits that are treated as being adjacent to Northern Ireland, and those parts that are not. The reason for doing this is that the co-ordinates in the Adjacent Waters Boundaries (Northern Ireland) Order 2002 were not amended when the UK Government legislated for its exclusive economic zone in 2013. The Exclusive Economic Zone Order 2013 designates the area of the UK's EEZ.

**Adam Afriyie (Windsor) (Con):** Given the overwhelming opposition to this measure, I thought I would ask a constructive question. Is the order correcting an administrative error? Surely we could have tidied this all up in 2013. Is this just a tidying-up exercise?

**Mr Walker:** Broadly, yes; this is a tidying-up exercise. The Exclusive Economic Zone Order 2013 revoked and replaced orders relating to renewable energy and pollution, but did not revoke the Fishery Limits Act 1976, which sets out British fisheries limits for the UK. Instead, the Marine and Coastal Access Act 2009, under which the 2013 order was made, amended the 1976 Act in order to align British fisheries limits with those of the EEZ. The EEZ, as defined in the 2013 order, does not follow the adjacent waters boundaries line in the area outside Carlingford lough. This legislative defect has created a management issue for the Department of Agriculture, Environment and Rural Affairs and the Government, as there is now an area adjacent to Northern Ireland

that lies inside the UK's EEZ, but outside the Northern Ireland zone, and which DAERA cannot manage in relation to sea fishing. In addition, the area of sea that gives rise to the issue straddles the border with Irish waters. This does not affect any other areas of UK waters.

Rectifying this legislative defect before the end of the transition period will enable DAERA to avoid management and enforcement issues relating to sea fishing. As I have set out, and as my hon. Friend the Member for Windsor observed, this is a purely technical correction and nothing controversial. As we are not seeking to amend the UK EEZ, there is no requirement to negotiate any changes with Ireland. However, I can confirm that we have notified it of what we are doing.

I reassure the Committee that the order has no impact on existing disputes between the UK and Ireland over the delimitation of maritime borders in cross-border Loughs Foyle and Carlingford. It also has no impact on the voisinage agreement between the two countries. We remain fully committed to those arrangements, and continue to work closely with the Irish Government over improvements to the management of the Loughs. British and Irish officials last met in October 2019, when a number of issues were discussed, including the loughs and the management of aquaculture in them. I commend the order to the Committee.

2.33 pm

**Chris Elmore (Ogmore) (Lab):** It is a pleasure to serve under your chairmanship, Ms Cummins. There seems to be a theme: when I am under your chairmanship, I end up speaking, as Whip, for the Opposition—with great support from my colleagues behind me. I am extremely grateful to the Minister and the hon. Member for Windsor for confirming what we already knew, and to the latter for stealing my one constructive question. I am grateful to the Minister for confirming his work with the Irish Government, and for dealing with this administrative order. It will come as no great surprise to him to hear that the official Opposition do not object to it, and will not divide the Committee.

2.34 pm

**Mr Walker:** I thank the Opposition and my hon. Friend the Member for Windsor for a constructive debate, and I hope that all Members will join me in approving this statutory instrument.

*Question put and agreed to.*

2.34 pm

*Committee rose.*