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**An Bille um Dhlínse Mhuirí, 2021**  
**Maritime Jurisdiction Bill 2021**

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*Meabhrán Míniúcháin agus Airgeadais*  
*Explanatory and Financial Memorandum*

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**EXPLANATORY AND FINANCIAL MEMORANDUM**

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**Purpose of Bill**

The purpose of the Bill is to update and set out in one standalone enactment the law relating to the State's maritime jurisdiction, including by giving further effect to relevant provisions of the 1982 United Nations Convention on the Law of the Sea, and to repeal sections 2 and 3 of the Continental Shelf Act 1968 and Part 3 of the Sea-Fisheries and Maritime Jurisdiction Act 2006, and to provide for related matters.

**Main Provisions of Bill**

*Section 2* defines terms used in the Bill.

*Section 4* repeals sections 2 and 3 of the 1968 Continental Shelf Act and Part 3 of the Sea-Fisheries and Maritime Jurisdiction Act 2006.

*Section 6* prescribes the baselines from which the breadth of the State's maritime zones are measured, provides a power enabling the Government to prescribe straight baselines and bay closing lines by order and preserves the existing orders prescribing straight baselines and bay closing lines.

*Section 7* defines the territorial sea of the State and empowers the Government to prescribe its outer limit. *Section 8* provides that the sea waters on the landward side of the baselines are included in the internal waters of the State. *Section 9* clarifies, for the avoidance of doubt, that the seabed of the territorial sea and of the sea areas of the internal waters, and all mineral and other non-living resources and all forms of potential energy there, belong to the State.

*Sections 10* and *11* provide for the exercise of the criminal jurisdiction of the State with respect to acts committed aboard foreign vessels within the territorial sea or internal waters of the State in accordance with the 1982 Convention.

*Section 12* defines the contiguous zone of the State.

*Section 13* defines the exclusive economic zone of the State and the outer limit of the zone. It also authorises the Government to prescribe lines of delimitation in accordance with article 74 of the Convention.

*Section 14* sets out the sovereign rights and jurisdiction enjoyed by the State within the exclusive economic zone.

*Section 15* provides that the criminal and civil jurisdiction of the State extends to any artificial island or installation located within the exclusive economic zone.

*Section 16* defines the continental shelf of the State and sets out how the outer limit of the continental shelf is to be determined.

*Section 17* empowers the Government to designate by order areas of the continental shelf as ones within which State's sovereign rights and jurisdiction may be exercised and preserves existing designation orders.

*Section 18* sets out the sovereign rights and jurisdiction the State may exercise in a designated area. *Section 19* provides that the criminal and civil jurisdiction of the State extends to any artificial island or installation located in a designated area.

*Section 20* specifies how references in other enactments to the 'territorial seas' are to be construed.

*Section 22* extends the criminal jurisdiction of the State to any act committed on board Irish ships outside the territorial sea and internal waters where that act, if committed in the State, would constitute an offence under the law of the State. *Section 23* provides that where an offence under the Bill is committed by a body corporate proceedings may be taken against its directors and officers.

*Sections 25 to 33* amend a number of other enactments to ensure consistency with terms defined by the present Bill.

The text of Parts II, V and VI of the 1982 Convention is reproduced in *Schedule 1*. *Schedule 2* sets out consequential amendments of a number of enactments.

#### **Financial Implications**

The Bill will not give rise to any new or additional expenditure.

*An Roinn Gnothai Eachtracha,*  
*Bealtaine, 2021.*