

APPLICATION FOR A MARITIME AREA CONSENT (MAC) IN ACCORDANCE WITH SECTION 75 OR 76 OF THE MARITIME AREA PLANNING ACT 2021

Maritime Area Consent (MAC)

This form should be completed when applying for a MAC in accordance with section 75 or section 76 of the MAP Act 2021. *Section 79* states that a person may make an application in the specified form, accompanied by the specified fee, to MARA for the grant of a MAC for the occupation of the part of the maritime area for the proposed maritime usage.

Where a MAC application is made to MARA, it may, by notice in writing given to the applicant, require the applicant to provide in the specified form, by affidavit or otherwise, such additional information in relation to any matter to which the application relates as MARA reasonably considers necessary to assist it to determine the application.

A person who is a body corporate may not make a MAC application unless it is:

- (a) a company,
- (b) an EEA company within the meaning of Part 21 of the Companies Act 2014.
- (c) a public body, or
- (d) engaged principally in non-commercial activities or works.

For the avoidance of doubt and notwithstanding any other enactment, MARA is not required to carry out, for the purposes of determining a MAC application:

- (a) a screening for appropriate assessment or appropriate assessment
- (b) a screening for environmental impact assessment or environmental impact assessment.

Schedule 5: The criteria that MARA shall have regard to in determining MAC application:

1. The nature, scope and duration of the occupation of the maritime area concerned for the purposes of the proposed maritime usage.
2. Whether the proposed maritime usage is in the public interest.
3. The location and spatial extent of the occupation of the maritime area concerned for the purposes of the proposed maritime usage.
4. Guidelines issued under [section 7](#) which are relevant to the proposed maritime usage.
5. Whether the applicant is a fit and proper person (within the meaning of [Schedule 2](#)) to be granted a MAC, both at the time the application is made and at the time that the MAC application concerned is determined by MARA.
6. Whether the applicant is tax compliant, both at the time the application is made and at the time that the MAC application concerned is determined by the MARA.
7. In the case of any maritime usage relating to offshore renewable energy (within the meaning of [section 100](#)), the consistency of the MAC application concerned with the development plans of the transmission system operator (within the meaning of [section 100](#)).
8. The National Marine Planning Framework.
9. The extent and nature of the preparatory work already undertaken by the applicant towards ensuring the efficacious undertaking of the proposed maritime usage the subject of the MAC application concerned should the applicant be granted a MAC in respect of such usage.
10. The extent and nature of stakeholder engagement undertaken by the applicant in respect of the proposed maritime usage.
11. Where a competitive process referred to in [section 93](#) or [103](#) is used, the outcome of such process.
12. Any additional criteria specified, for the purposes of this paragraph, in regulations made under [section 80\(2\)](#).

Privacy Policy:

MARA may require you to provide certain personal data in order to carry out our legislative and administrative functions. MARA will treat all personal data that you provide as confidential and will process your details in accordance with its obligations under data protection legislation, including the Data Protection Act 2018 and the EU General Data Protection Regulation. A Privacy Statement explaining how MARA, as the Data Controller, will process the personal data you provide, how that information will be used and what rights you may exercise in relation to your personal data, is available in this link: [Privacy Statement](#).

Freedom of Information / Access to Information on the Environment

Applicants should be aware that under the Freedom of Information Act 2014 and the European Communities (Access to Information on the Environment) Regulations 2007 to 2018, information provided by them to the MARA may be liable to be disclosed.

Applicants are asked to consider if any of the information supplied by them in their application should not be disclosed and clearly identify the specific sections of their application containing such information, specifying the reasons for its confidentiality/sensitivity. The MARA will consult with applicants about this information before making a decision on any Freedom of Information/Access to Information on the Environment request received.

BEFORE FILLING OUT THIS FORM PLEASE READ THE DECLARATION AND CONSENT ON PAGE 21.

For a valid application, this Application Form should be completed and submitted together with the **Fit & Proper Person Application Form** (Section B, FPP1 or FPP2 below), including the appropriate **Technical Capability Assessment for a Maritime Area Consent** and the **Financial Capability Assessment for a Maritime Area Consent**.

INSTRUCTIONS:

Please complete and save this Application Form electronically before submission. Upon opening, enable document features and complete each response in the space provided. Signature will be verified digitally upon submission of your application. Further documents may be submitted in support of this Application and any reference to these materials should be clearly identified in this Form. Any application fees payable should be paid by electronic bank transfer when submitting your application; see [General Guidance for completing an application for a MAC](#), Section 6.3 and page 21 of this Form for details.

Form MAC1 - Application for a Maritime Area Consent (MAC) in accordance with Section 75 or 76 of the MAP Act 2021 – General Assessment

Section A

Part 1 Applicant Information

1.1 Applicant Details

Name of Applicant (not agent)	
Company/Organisation (if applicable)	
Address and Eircode	
Contact Name within Company/Organisation	
Contact Phone No.	
Contact Email Address	
CRO No. (if applicable)	

1.2 Parent Company Details (if applicable)

Full Name of Parent Company	
Address	
Eircode	
Contact Name	
Contact Phone No.	
Contact Email Address	
CRO No. (if applicable)	

1.3 Agent Representing Applicant (if applicable)

Person/Agency acting on behalf of Applicant	
Address	
Eircode	
Contact Name (if applicable)	
Contact Phone No.	
Contact Email address	

1.4 Applicant's Legal Advisor (if applicable)

Name/Company Name	
Address	
Eircode	
Contact Name (if applicable)	
Contact Phone No.	
Contact Email address	

1.5 Is this application in accordance with section 75 or 76 of the MAP Act 2021? If development permission is required, this application should be made under section 75.

1.6 For the purposes of determining the appropriate levy in accordance with the Levy Framework, please state whether the applicant is commercial or non-commercial

If the applicant is a non-commercial entity, please provide details below and attach evidence when submitting this application

Part 2 Outline of Proposal

2.1 High-level Description of Proposed Works, including any relevant terrestrial works

2.2 Nature and Scope of works to be carried out in the Maritime Area

2.3 Please provide the reference numbers and titles of any existing Foreshore leases you may hold within the footprint, or otherwise in the vicinity of the proposed MAC area.

2.4 If you intend to surrender any existing foreshore lease(s), please provide details in the space below.

Part 3 Public Interest

3.1 A. Does the proposed project align with any policy or programme of the Irish Government?

Yes

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No

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B. If yes, please provide brief details in the space below and attach any further relevant documentation when submitting this form.

3.2 A. Does the proposed project align with any EU Directive or programme?

Yes

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No

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B. If yes, please provide brief details in the space below and attach any further relevant documentation when submitting this form.

3.3 A. Is there a public use element of the proposed project?

Yes

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No

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B. If yes, please provide brief details in the space below and attach any further relevant documentation when submitting this form.

3.4 A. Does the project impact on existing public access/use and amenity of the Maritime Area, including nearshore?

Yes

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No

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B. If yes, please provide brief details in the space below and attach any further relevant documentation when submitting this form.

3.5 A. Does the project impact on any potential future use of the maritime area?

Yes

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No

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B. If yes, please provide brief details in the space below and attach any further relevant documentation when submitting this form.

3.6 A. Does the proposed project contribute to the sustainable economic development of the local area or wider economy?

Yes

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No

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B. If yes, please provide brief details in the space below and attach any further relevant documentation when submitting this form.

3.7 Please provide brief observations/comments from relevant stakeholders that reference items of public interest and attach any supporting documentation in this regard.

Part 4 Location and Spatial Extent of Proposed MAC Area

1. Please draft a map, titled "MAC Map", outlining the proposed MAC area in accordance with the [Mapping Guidance for MAC Applications](#) and submit same with this application.
2. Please list the coastal Local Authority(s) and/or county(s) adjacent to the proposed project.

3. Please provide the distance of the main body of the proposed project from the shore at its closest point in km.

4. Total size of the proposed MAC area (in m², ha, or km², as appropriate)

5. Please list any Admiralty Charts, Maps and/or other Drawings submitted with this application.

Part 5 Tax Compliance

Please confirm that you are tax compliant by attaching a copy of a valid Tax Clearance Certificate to this MAC application and insert the Tax Clearance Certificate number in the box below.

Part 6 Consistency with the National Marine Planning Framework (NMPF)

1. Please describe how the proposed project is consistent with the environmental objectives of the NMPF.

2. Please describe how the proposed project is consistent with the economic objectives of the NMPF.

3. Please describe how the proposed project is consistent with the social objectives of the NMPF.

4. Please describe how the proposed project is consistent with key relevant sectoral and/or activity policies of the NMPF.

5. Please describe any other sectoral and/or activity policies that may be impacted by the proposed project.

Part 7 Preparatory Work

1. Please list below any research activities, including any site investigations, completed at the proposed site.

2. Please attach in any support documentation submitted with this application, a detailed report and drawings/schemes, where relevant, of any preparatory work undertaken to ensure the efficaciousness of the proposed project should a MAC be granted. This report should include any on-site investigations, whether at application phase, ongoing or completed, and the outcomes and/or expected outcomes of same.
3. For Offshore Renewable Energy Projects only:
 Please describe the consistency of the MAC application concerned with the development plans of the transmission system operator (within the meaning of section 100 of the Act)

4. A. Is terrestrial planning permission required for the completion of this proposed project?

Yes

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No

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B. If yes, please provide brief details in the space below and attach any further relevant documentation when submitting this form, including other permissions sought/acquired, e.g. from landowner.

Part 8 Stakeholder Engagement

1. Please outline in brief any engagements that have taken place with marine users or other stakeholders in the area that may be affected by the proposal.

Section B

Schedule 2 Fit and Proper Person

Fit and Proper Person

According to *section 74* of the Maritime Area Planning (MAP) Act 2021, a “fit and proper person” to be granted or to hold a Maritime Area Consent (MAC) shall be construed in accordance with *Schedule 2* of the Act.

Schedule 2 describes a “relevant person” as being either an applicant for a MAC or the holder of a MAC and a relevant person can be an individual or a body corporate.

Schedule 2 of the Act states that MARA shall, in determining whether a relevant person is a fit and proper person to be granted a MAC (or to continue to be the holder of a MAC) have regard to the following:

- (a) letters of reference;
- (b) that the relevant person, or person concerned, stands convicted of—
 - (i) an indictable offence under this Act or an offence in another state equivalent to an indictable offence,
 - (ii) an indictable offence under an enactment prescribed for the purposes of this clause, or
 - (iii) an offence involving fraud or dishonesty;
- (c) if the relevant person is a body corporate, whether any of its directors has a declaration under section 819 of the Companies Act 2014 (Act of 2014) made against them or is deemed to be subject to such a declaration by virtue of Chapter 5 of Part 14 of that Act, or is subject to or deemed to be subject to—
 - (i) a disqualification order, within the meaning of Chapter 4 of Part 14 of the Act of 2014, whether by virtue of that Chapter or any other provision of that Act, or
 - (ii) a disqualification outside the State to like effect which corresponds to a disqualification order within the meaning of Chapter 4 of Part 14 of the Act of 2014;
- (d) if the relevant person is an individual, whether he or she is adjudicated bankrupt or is subject to proceedings for a declaration of bankruptcy or becomes an arranging debtor;
- (e) if the relevant person is a body corporate, whether it—
 - (i) has commenced a voluntary winding-up or is subject to a winding-up order or is subject to proceedings for such an order,
 - (ii) is subject to the appointment of a receiver or examiner, or
 - (iii) has proposed a compromise or arrangement that is sanctioned under section 453(2) of the Act of 2014 or section 201(3) of the Companies Act 1963 (Act of 1963);
- (f) if the relevant person is a body corporate incorporated under the law of another state—
 - (i) whether an event which corresponds to an event referred to in clause (c) has occurred in relation to any of its directors, or
 - (ii) whether an event which corresponds to an event referred to in clause (e) has occurred in relation to the body corporate;
- (g) whether the relevant person, or a person acting for or on behalf of the relevant person in the relevant person’s capacity as such, has (or has access to), or continues to have (or have access to), the requisite technical knowledge or qualifications, or both, to undertake the proposed maritime usage, or continue to undertake the maritime usage;
- (h) whether the relevant person is likely to be in a position to meet, or continue to meet, any financial commitments or obligations that MARA reasonably considers will be entered into or incurred by the relevant person—
 - (i) in undertaking the proposed maritime usage, or in continuing to undertake the maritime usage, or
 - (ii) in ceasing to undertake the proposed maritime usage or the maritime usage;
- (i) the previous performance of the relevant person when granted—
 - (i) a MAC,
 - (ii) a development permission,
 - (iii) a licence, or
 - (iv) an authorisation under the Foreshore Act of 1933 (Act of 1933)

For the purposes of this application, please complete **Form FPP1** below if applying as a non-individual (e.g. Partnership, Corporate Body, Local Authority, Community Group etc.), or **Form FPP2** if applying as an individual.

Fit & Proper Person Test – Technical Assessment

Please see the relevant technical guidance document and return same with this application:

Technical Capability Assessment for a Maritime Area Consent (Applying to Schedule 10 Projects) or

Technical Capability Assessment for a Maritime Area Consent (Excluding Schedule 10 Projects)

Fit & Proper Person Test – Financial Assessment

Please see the *Financial Capability Assessment for a Maritime Area Consent* and return same with this application.

Form FPP1 – Fit & Proper Person to be completed by a non-individual

1. Please list below any Letters of Reference you may have to support this application and attach copies of same when submitting this form (max 3 references)

a.

b.

c.

2. A. Does the relevant person or *person concerned*¹ as in Schedule 2 of the MAP Act 2021 stand convicted of an indictable offence under the same Act or an offence in another state equivalent to an indictable offence?

Yes ☐ No ☐

B. If yes, please provide brief details in the space below and attach any further relevant documentation when submitting this form.

3. A. Does the relevant person or *person concerned*² as in Schedule 2 of the MAP Act 2021 stand convicted of an indictable offence under an enactment prescribed for the purposes of this clause?

Yes ☐ No ☐

B. If yes, please provide brief details in the space below and attach any further relevant documentation when submitting this form.

¹ A “person concerned” in relation to a non-individual person (body corporate) includes a person capable of exercising control in relation to that body (section 11 or 432 of Taxes Consolidation Act 1997); a member of the body including chairperson, board member, managing director, chief executive or anyone acting in such a capacity; or a body corporate incorporated under the law of another state.

² A “person concerned” in relation to a non-individual person (body corporate) includes a person capable of exercising control in relation to that body (section 11 or 432 of Taxes Consolidation Act 1997); a member of the body including chairperson, board member, managing director, chief executive or anyone acting in such a capacity; or a body corporate incorporated under the law of another state.

4. A. Does the relevant person or person concerned as defined in Schedule 2 of the MAP Act 2021 stand convicted of an offence involving fraud or dishonesty?

Yes ☐ No ☐

B. If yes, please provide brief details in the space below and attach any further relevant documentation when submitting this form.

5. A. Has any director or equivalent had a declaration made against them under section 819 of the Companies Act 2014 (Act of 2014) in relation to insolvency?

Yes ☐ No ☐

B. If yes, please provide brief details in the space below and attach any further relevant documentation when submitting this form.

6. A. Is any director or equivalent of the body corporate deemed to be subject to a declaration under Chapter 5 of Part 14 of the Act of 2014 relating to disqualification and restriction undertakings (ongoing procedures)?

Yes ☐ No ☐

B. If yes, please provide brief details in the space below and attach any further relevant documentation when submitting this form.

7. A. Has any director, or equivalent of the relevant person, been subject to a disqualification order within the meaning of Chapter 4 Part 14 of the Act of 2014; or been disqualified outside the State to a corresponding disqualification order?

Yes ☐ No ☐

B. If yes, please provide brief details in the space below and attach any further relevant documentation when submitting this form.

8. A. Has the relevant person, whether within the State or in another state, commenced a voluntary winding up order, or is it subject to a winding up order or subject to proceedings to such an order)?

Yes ☐ No ☐

B. If yes, please provide brief details in the space below and attach any further relevant documentation when submitting this form.

9. A. Is the relevant person, whether within the State or in another state, subject to appointment of a receiver or examiner?

Yes ☐ No ☐

B. If yes, please provide brief details in the space below and attach any further relevant documentation when submitting this form.

10. A. Has the relevant person within the State proposed a compromise or arrangement sanctioned under section 453(2) of the Act of 2014 or section 201(3) of the Companies Act 1963, or made an equivalent proposal if in another state?

Yes ☐ No ☐

B. If yes, please provide brief details in the space below and attach any further relevant documentation when submitting this form.

11. A. Has the relevant person previously been granted a MAC, development permission, licence or any authorisation under the Foreshore Act 1933?

Yes ☐ No ☐

B. Please provide details of any previous MAC, development permission, licence, or any authorisation under the Foreshore Act 1933 granted to you.

C. Please confirm that you complied with any conditions of each authorisation previously granted or provide details of any instances of non-compliance.

Form FPP2 Fit & Proper Person to be completed by individuals

1. Please list below any Letters of Reference you may have to support this application and attach copies of same when submitting this form (max 3 references):

a.

b.

c.

2. A. Do you, as a relevant person as defined in Schedule 2 of the MAP Act 2021 stand convicted of an indictable offence under the same Act or an offence in another state equivalent to an indictable offence?

Yes

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No

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3. A. Do you, as a relevant person as defined in Schedule 2 of the MAP Act 2021 stand convicted of an indictable offence under an enactment prescribed for the purposes of this clause?

Yes

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No

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B. If yes, please provide brief details in the space below and attach any further relevant documentation when submitting this form.

4. A. Do you, as a relevant person as defined in Schedule 2 of the MAP Act 2021 stand convicted of an offence involving fraud or dishonesty?

Yes

☐

No

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B. If yes, please provide brief details in the space below and attach any further relevant documentation when submitting this form.

5. A. Are you adjudicated bankrupt, subject to proceedings for a declaration of bankruptcy or likely to become an arranging debtor?

Yes

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No

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B. If yes, please provide details in the space below and attach any further relevant documentation when submitting this form.

6. Please provide details of any previous MAC, development permission, licence, or any authorisation under the Foreshore Act 1933 granted to you.

Please confirm that you complied with any conditions of each authorisation previously granted or provide details of any instances of non-compliance.

Declaration and Consent

I declare that all information provided with this application is correct at the time of submission and that I will notify MARA of any changes to this information that may arise during the application process. MARA may, by notice in writing given to the applicant, require the applicant to provide in the specified form, by affidavit or otherwise, such additional information in relation to any matter to which the application relates as MARA reasonably considers necessary to assist it to determine the application.

By submitting this application form, I agree that certain details provided may be published on MARA's website and that the information provided in this form will be processed and retained by MARA and may be shared with bodies appropriate to assessing aspects of this application in furtherance of consideration of the granting of a MAC in accordance with the MAP Act 2021.

This consent relates to this application and to any further information provided by me, or on my behalf, for the purposes of this application.

Name of Signatory:

Position held:

Date:

Signed for and on behalf of the applicant:

Please submit completed application
for signature verification

Please return completed applications, by email, to: MAC@mara.gov.ie

Bank details for payments:

Maritime Area Regulatory Authority
BIC: IPBSIE2D
IBAN: IE06IPBS99063934513936

Toiliú an Limistéir Mhuirí

MARA

An Dara hUrlár, Teach Menapia,

Páirc Gnó Dhraighní,

Draighneach,

Loch Garman.

Y35 RF29

Maritime Area Consenting

MARA

Floor 2, Menapia House,

Drinagh Business Park,

Drinagh,

Wexford.

Y35 RF29