



Circular MP01/2025

11 August 2025

**To: The Maritime Area Regulatory Authority**

**Re: Maritime usage in the context of the Maritime Area Planning Act 2021**

A chara,

As you will be aware, the Maritime Area Planning Act 2021, as amended, ('the Act') provides for a new maritime governance regime, centred on the principles of occupancy and maritime usage.

Maritime usage is currently defined in the Act as:

*"in relation to the maritime area, means any activity, operation, works or development undertaken in that area for any purpose (including conservation), and includes –*

- (a) the construction or use, or both, of any infrastructure in that area associated with, or otherwise supporting, the activity, operation, works or development, and*
- (b) the maintenance of such infrastructure,*

*and references in this Act to "proposed maritime usage" shall be construed accordingly;"*

This Circular is to clarify the policy intent that an activity which is non-commercial and constitutes an individual or group of individuals' ordinary reasonable enjoyment of the maritime area, or an activity that is of a passive observational nature, is not contemplated to be included in the application of the definition of maritime usage.

Is mise le meas,



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Rory O'Leary  
Principal,  
Marine Planning Policy