

Final Determination Report	
Application for a Maritime Area Consent (MAC) under Section 79 of Maritime Area Planning Act 2021 (the Act)	
Application Details	
MAC Holder:	Amazon MCS Ireland Limited
MAC Reference No:	MAC240030
Date Application received:	12 November 2024
Proposed Maritime Usage:	Amazon MCS Ireland Limited has applied to install, operate and maintain a portion of the Beaufort telecommunications fibre optic cable in Ireland's EEZ connecting Kilmore Quay, Wexford to Pembrokeshire, Wales.
Recommendation:	To Grant, with conditions, the MAC sought.

Document Control		
Prepared By:	Karen McCluskey, MAC Analyst	26 November 2025
Reviewed & Approved By:	Jacinta Ponzi, Head of Maritime Usage Consenting	26 November 2025

I refer to the minded to documentation that issued to Amazon MCS Ireland Limited on the 23 October 2025. On the 4 November 2025 and 5 November 2025, Amazon MCS Ireland Limited submitted supplementary material to MARA in response to the minded to notice in relation to the reasons attached to the conditions in the draft MAC. On 21 November 2025, MARA issued a request for clarification on the supplementary material, to which Amazon MCS Ireland Limited provided further supplementary material on 24 November 2025. In accordance with Section 81(7)(b)(ii) MARA must give consideration to the supplementary material before making a determination. Details of the supplementary material provided and consideration thereof is set out below.

Supplementary material:

Amazon MCS Ireland Limited provided the following comments in their supplementary material:

1. *"Amazon notes the requirements of Clause 11 Insurance and would like to draw your attention to a previous Amazon application for a MUL reference MUL230031. In this MUL application MARA*

and Amazon reached an amicable solution for similar Insurance conditions and I would like to ask whether the same solution can meet MARA's requirement for this MAC240030 application."

The applicant further clarified that the main issue is focused on the MARA request under 11.1(a) to insure and keep insured in the joint names of the Grantor and the Holder. The applicant has stated that they cannot name MARA on their insurance but as noted above, would like to reach the same solution as for MUL 230031.

MARA Response

Amazon MCS Ireland Limited did not provide supporting documentation to demonstrate that Amazon MCS Ireland Limited cannot insure or keep insured in joint names of the Grantor and the Holder. Therefore, MARA cannot accede to the applicant's request.

2. "One other element to bring to your attention for confirmation. The terminology in Clause seems to reference Employer's Liability twice. Is this an error and clause (b) actually refer to Public or General Liability?"

MARA Response

Condition 11.1b in the proposed MAC referenced Employer's Liability. The correct reference is Public Liability.

In addition, a clerical error has been identified in the original text of Condition 11.1b, as follows ".....in the name of the Holder in an insurance office.....". The condition should read ".....in the name of the Grantor and Holder in an insurance office.....". As the term Grantor or Holder is further referenced within the Condition on the proposed MAC, the correction is now consistent with subsequent references contained within the Condition.

Condition 11.1b in the recommended final MAC has been updated to reflect Public Liability and the reference to Grantor and Holder, as follows (in the interest of clarity, the amendments are highlighted);

*"effect and keep in force **a public** liability insurance policy of indemnity in the name of the **Grantor and Holder** in an insurance office licensed to operate in the State with a limit of €6,500,000.00 (six million and five hundred thousand Euro) (or such increased amount as the Grantor may from time to time reasonably determine) in respect of any one claim or a series of claims arising out of a single occurrence (except for pollution and products liability cover which may be on an annual aggregate basis if unavailable on a single occurrence basis) for any damage, loss or injury which the Grantor or Holder may be legally liable for which may occur to any property (not being the property of the Grantor or the Holder) or to any person by or arising out of the Permitted Maritime Usage and exercise of the rights granted in this Consent;"*

It is recommended to finalise the MAC with conditions attached, as per the above amendments. Reasons for the conditions attached thereto are recommended to issue as per the above amendments. It is recommended to issue a final determination notice in relation to the above application in accordance with section 81(3) of the Act.

A final determination notice, the final MAC and reasons for conditions attached thereto are attached for your approval.

Signed: *Karen McCluskey*

Date: 26 November 2025