

# MARA

An tÚdarás Rialála Limistéir Mhuirí  
Maritime Area Regulatory Authority

## **Explanatory Note on the Legislative Framework for Wild Seaweed Harvesting**

## **Nóta Míniúcháin ar an gCreat Reachtach maidir le Fómhar Feamainne Fiáine**

24<sup>th</sup> March 2026





*Please note that in addition to this note that MARA has an extensive seaweed FAQ section on its website: [maritimeregulator.ie](http://maritimeregulator.ie)*

*Tabhair faoi deara go bhfuil rannóg fhairsing Ceisteanna Coitianta maidir le feamainn ar shuíomh gréasáin MARA freisin: [maritimeregulator.ie](http://maritimeregulator.ie)*



## Introduction

The Maritime Area Regulatory Authority (**MARA**) is an independent regulatory authority established on 17 July 2023 pursuant to the Maritime Area Planning Act 2021 (as amended) (the **MAP Act**). MARA falls under the aegis of the Department of Climate, Energy and the Environment (**DCEE**) and plays a central role in the new streamlined system for the regulation of certain activities in the maritime area. This includes seaweed harvesting, in addition to the regulation of activities in the maritime area relating to other sectors including offshore renewable energy, subsea cables and pipelines, maintenance dredging and the placement of certain infrastructure.

## Legislative framework

Prior to the enactment of the MAP Act and the establishment of MARA, seaweed harvesting licences were granted under the Foreshore Act 1933 (as amended). However, no licences for seaweed harvesting have been granted since March 2014.

Under the MAP Act MARA has now been tasked with regularising the harvesting of seaweed.

The MAP Act provides at section 113(1) that: *“A person shall not undertake a Schedule 7 usage (other than an exempted usage) in any part of the maritime area unless he or she is, in respect of that part, the holder of a licence for such usage.”*

Schedule 7 of the MAP Act sets out the maritime usages which require a licence and expressly includes at section 110(10):

## Réamhrá

Is údarás rialála neamhspleách é an tÚdarás Rialála Limistéir Mhuirí (**MARA**) a bunaíodh an 17 Iúil 2023 de bhun an Achta um Pleanáil Limistéir Mhuirí 2021 (arna leasú) (an **tAcht MAP**). Tagann MARA faoi choimirce na Roinne Comhshaoil, Aeráide agus Fuinnimh (**DCEE**) agus tá ról lárnach aige sa chóras nua sruthlínithe chun gníomhaíochtaí áirithe sa limistéar muirí a rialáil. Áirítear leis seo fómhar feamainne, chomh maith le rialáil gníomhaíochtaí sa limistéar muirí a bhaineann le hearnálacha eile, lena n-áirítear fuinneamh in-athnuaite amach ón gcósta, cáblaí agus píblínite faoin bhfarraige, dreidireacht chothabhála agus socrú bonneagair áirithe.

## Creat Reachtach

Sular achríodh an tAcht MAP agus sular bunaíodh MARA, deonaíodh ceadúnais fómhair feamainne faoin Acht um an gCladach 1933 (arna leasú). Mar sin féin, níor deonaíodh aon cheadúnais fómhair feamainne ó Mhárta 2014 i leith.

Faoin Acht MAP, tá sé de chúram anois ar MARA fómhar feamainne a rialáil agus a thabhairt chun rialtachta.

Foráiltear in alt 113(1) den Acht MAP mar a leanas:

*“Ní dhéanfaidh duine úsáid Sceideal 7 (seachas úsáid dhíolmhaithe) in aon chuid den limistéar muirí mura bhfuil ceadúnas aige nó aici don úsáid sin i leith na coda sin.”*

Leagtar amach i Sceideal 7 den Acht MAP na húsáidí muirí a éilíonn ceadúnas agus áirítear go sainráite in alt 110(10):



*“The harvesting, disturbance or removal of seaweed, whether growing or rooted on the seabed, or deposited in or washed up thereon by the action of any one or more than one of the following: (a) tides, (b) winds, and (c) waves.”*

- It is therefore expressly stated in the legislation that the harvesting and collection of seaweed requires a licence from MARA.
- The MAP Act does not exclude the holders of existing seaweed harvesting rights from this licencing requirement.

## Application of legislation

MARA has been very careful in its analysis and interpretation of the MAP Act in order to protect the rights of all parties, such that:-

- A licence is required to collect or harvest seaweed whether a person privately owns that section of the foreshore, holds other traditional seaweed harvesting rights or holds no rights at all.
- Existing holders of traditional seaweed harvesting rights have priority over new applications for licences.
- Any licence being issued to new harvesters in an area (i.e. those without traditional harvesting rights) will be on the basis that, should a party with traditional private seaweed rights that can be proven subsequently come forward, the licence to the new harvester may be rescinded.

It is therefore essential that the licence applicant satisfies themselves that the application to harvest or collect seaweed in a particular area will not conflict with any third-

*“Fómhar, cur isteach ar, nó baint feamainne, cibé acu atá sí ag fás nó fréamhaithe ar ghrinneall na farraige, nó curtha ann nó nite suas air mar thoradh ar ghníomhaíocht aon cheann nó níos mó díobh seo a leanas: (a) taoide, (b) gaotha, agus (c) tonnta.”*

- Luaitear go sainráite sa reachtaíocht, dá bhrí sin, go dteastaíonn ceadúnas ó MARA chun feamainn a fhómhar nó a bhailiú.
- Ní dhéanann an tAcht MAP eisceacht ar shealbhóirí cearta fómhair feamainne atá ann cheana féin ón gceanglas ceadúnaithe seo.

## Cur i bhFeidhm na Reachtaíochta

Tá MARA thar a bheith cúramach ina hanailís agus ina léirmhíniú ar an Acht MAP chun cearta gach páirtí a chosaint, sa chaoi go:-

- Teastaíonn ceadúnas chun feamainn a bhailiú nó a fhómhar cibé acu an leis an duine go príobháideach an chuid sin den chladach, nó an bhfuil cearta traidisiúnta fómhair feamainne aige nó aici, nó nach bhfuil aon chearta aige nó aici ar chor ar bith.
- Tá tosaíocht ag sealbhóirí reatha cearta traidisiúnta fómhair feamainne ar iarratais nua ar cheadúnais.
- Eiseofar aon cheadúnas do fhómhraithe nua i gceantar (i.e. iad siúd nach bhfuil cearta traidisiúnta acu) ar an mbonn go bhféadfar an ceadúnas sin a chealú má thagann páirtí chun cinn ina dhiaidh sin a bhfuil cearta príobháideacha traidisiúnta feamainne aige nó aici ar féidir a chruthú.

Tá sé riachtanach, dá bhrí sin, go ndéanfaidh an t-iarratasóir ar cheadúnas cinnte de nach mbeidh an t-iarratas chun feamainn a fhómhar



party rights, such as traditional private seaweed harvesting rights.

## MARA's approach for small scale non-commercial activity

On 11 August 2025, DCEE issued [Circular MP01/2025](#) which clarified that *“an activity which is non-commercial and constitutes an individual or group of individuals’ ordinary reasonable enjoyment of the maritime area...is not contemplated to be included in the application of the definition of maritime usage.”*

This Circular applies to all maritime usages and activities subject to a licence from MARA under Schedule 7 of the MAP Act and this includes seaweed collection and harvesting. Therefore, MARA has taken the view that the collection or harvesting of small volumes of seaweed on a non-commercial basis for personal or domestic use does not require a licence as it is considered to be *“ordinary reasonable enjoyment of the maritime area.”*

## The environment

The above approach is also environmentally necessary to prevent over-exploitation and is a means by which the State may manage and allow access to its natural resources. It supports a sustainable seaweed industry, which is in the common good and the requirement to obtain a licence from MARA for seaweed harvesting and collection is proportionate to the objective being pursued.

nó a bhailiú i gceantar áirithe ag teacht salach ar chearta tríú páirtí, amhail cearta traidisiúnta príobháideacha feamainne.

## Cur Chuige MARA i leith Gníomhaíocht Neamhthráchtála ar Scála Beag

Ar an 11 Lúnasa 2025, d’eisigh an Roinn Comhshaoil, Aeráide agus Fuinnimh (DCEE) [Ciorclán MP01/2025](#), a shoiléirigh nach meastar go bhfuil *“gníomhaíocht atá neamhthráchtála agus a chuimsíonn gnáthúsáid réasúnach duine aonair nó grúpa daoine den limistéar muirí...”* le cur san áireamh i bhfeidhmiú an tsainmhínithe ar úsáid mhuirí.

Baineann an Ciorclán seo le gach úsáid agus gníomhaíocht mhuirí atá faoi réir ceadúnais ó MARA faoi Sceideal 7 den Acht MAP, agus áirítear leis sin bailiú agus fómhar feamainne. Dá bhrí sin, tá MARA den tuairim nach dteastaíonn ceadúnas chun méideanna beaga feamainne a bhailiú nó a fhómhar ar bhonn neamhthráchtála le haghaidh úsáide pearsanta nó tí, toisc go meastar gur *“gnáthúsáid réasúnach den limistéar muirí”* é.

## An Comhshaoil

Tá an cur chuige thuas riachtanach freisin ó thaobh an chomhshaoil de chun róshaothrú a chosc agus is bealach é trína bhféadfaidh an Stát a acmhainní nádúrtha a bhainistiú agus rochtain orthu a cheadú. Tacaíonn sé le tionscal feamainne inbhuanaithe, atá ar mhaithe leis an leas coiteann, agus tá an ceanglas ceadúnas a fháil ó MARA chun feamainn a fhómhar agus a bhailiú comhréireach leis an gcuspóir atá á shaothrú.



## Assessment process

The MAP Act sets out the matters to which MARA must have regard when assessing any application for a licence for all licensable activities and maritime usages set out under Schedule 7, including seaweed harvesting and collection.

These include a screening to ensure that an Environmental Impact Assessment is not required, and a screening to determine whether the activity requires a full Appropriate Assessment for the purposes of Part 5 of the European Communities (Birds and Natural Habitats) Regulations 2011 (as amended), which transposes the Habitats Directive into Irish law. MARA must also have regard to any possible impacts a proposed activity may have in respect of, amongst others, the Water Framework Directive, the Marine Strategy Framework Directive and the extent to which the proposed activity is compatible with the objectives of the National Marine Planning Framework.

For all proposed activities, MARA consults with other relevant public bodies and, where the proposed activity screens in for Appropriate Assessment, a one-month period of public consultation also occurs. Existing seaweed harvesting rights holders have an opportunity to comment or make a submission on the application at this point and MARA is required to take all such submissions into account when making its final licence determination. All applications received by MARA are published on its website, together with any submissions received during the period of public and public body consultation.

## Próiseas Measúnaithe

Leagtar amach san Acht MAP na nithe a chaithfidh MARA a chur san áireamh agus measúnú á dhéanamh ar aon iarratas ar cheadúnas i leith na ngníomhaíochtaí agus na n-úsáidí muirí go léir atá leagtha amach i Sceideal 7, lena n-áirítear fómhar agus bailiú feamainne.

Áirítear leis seo scagadh lena chinntiú nach bhfuil Measúnacht Tionchair Timpeallachta ag teastáil, agus scagadh chun a chinneadh an bhfuil gá le Measúnacht Chuí iomlán chun críocha Chuid 5 de Rialacháin na gComhphobal Eorpach (Éin agus Gnáthóga Nádúrtha) 2011 (arna leasú), a thraschuireann an Treoir um Ghnáthóga i ndlí na hÉireann. Ní mór do MARA freisin aird a thabhairt ar aon tionchair fhéideartha a d'fhéadfadh a bheith ag gníomhaíocht atá beartaithe maidir le, i measc nithe eile, an Treoir Chreat Uisce, an Treoir Chreat Straitéise Mara agus a mhéid atá an ghníomhaíocht atá beartaithe ag teacht le cuspóirí an Chreata Náisiúnta um Pleanáil Mhuirí.

Maidir le gach gníomhaíocht atá beartaithe, téann MARA i gcomhairle le comhlachtaí poiblí ábhartha eile agus, i gcás go dteastaíonn Measúnacht Chuí, reáchtáiltear tréimhse comhairliúcháin phoiblí ar feadh míosa freisin. Tá deis ag sealbhóirí reatha cearta fómhair feamainne trácht a dhéanamh nó aighneacht a chur isteach ar an iarratas ag an bpointe seo agus tá ar MARA gach aighneacht den sórt sin a chur san áireamh agus a cinneadh deiridh ceadúnaithe á dhéanamh aici. Foilsítear gach iarratas a fhaigheann MARA ar a shuíomh gréasáin, mar aon le haon aighneachtaí a fhaightear le linn na tréimhse comhairliúcháin phoiblí agus comhairliúcháin le comhlachtaí poiblí.



## Existing seaweed harvesting rights holders

Pursuant to the MAP Act, any persons holding traditional or existing rights who are actively engaged in seaweed harvesting or collection are required to take the following steps to regularise the activity should they wish to continue harvesting:

1. If they are harvesting and/or collecting small volumes of seaweed for personal or domestic use and on a non-commercial basis, no further action is required on the basis of Circular MP01/2025. MARA considers such harvesting or collection to be “ordinary reasonable enjoyment of the maritime area”.
2. If a person or entity is harvesting and/or collecting seaweed for commercial use or large volumes for personal use, they need to apply for a maritime usage licence from MARA, irrespective of whether they hold traditional seaweed harvesting rights.
3. The MAP Act contains ‘transitional provisions’ at sections 129 and 130. These transitional provisions allow existing seaweed harvesters (who were active in harvesting prior to August 2021), including those holding an existing foreshore authorisation under the Foreshore Act or those engaged in unauthorised seaweed harvesting, to regularise their position under the MAP Act and apply to MARA for a licence, prior to expiry of the transitional period in July 2028.

## Sealbhóirí Cearta Fómhair Feamainne atá Ann Cheana

De bhun an Achta MAP, ceanglaítear ar aon duine a bhfuil cearta traidisiúnta nó cearta atá ann cheana aige nó aici agus atá gníomhach i bhfómhar nó i mbailiú feamainne na céimeanna seo a leanas a ghlacadh chun an ghníomhaíocht a thabhairt chun rialtachtá más mian leo leanúint ar aghaidh:

1. Má tá siad ag fómhar agus/nó ag bailiú méideanna beaga feamainne le haghaidh úsáide pearsanta nó tí ar bhonn neamhthrachtála, ní gá aon ghníomh breise ar bhonn Chiorcláin MP01/2025. Measann MARA gur “gnáthúsáid réasúnach den limistéar muir” atá sa bhfómhar nó sa mbailiú sin.
2. Má tá duine nó eintiteas ag fómhar agus/nó ag bailiú feamainne le haghaidh úsáide tráchtála nó méideanna móra le haghaidh úsáide pearsanta, ní mór dó/di iarratas a dhéanamh ar cheadúnas úsáide muirí ó MARA, beag beann ar cibé acu an bhfuil cearta traidisiúnta fómhair feamainne aige nó aici.
3. Tá “forálacha idirthréimhseacha” in altanna 129 agus 130 den Acht MAP. Ceadaíonn na forálacha idirthréimhseacha seo d’fhómhraithe reatha feamainne (iad siúd a bhí gníomhach roimh Lúnasa 2021), lena n-áirítear iad siúd a bhfuil údarú cladach acu faoin Acht um an gCladach nó iad siúd atá ag gabháil d’fhómhar feamainne gan údarú, a seasamh a thabhairt chun rialtachtá faoin Acht MAP agus iarratas a dhéanamh chuig MARA ar cheadúnas roimh dheireadh na hidirthréimhse i mí Iúil 2028.



## Further Queries

Please refer to: -

(i) The seaweed FAQ section on MARA's website.

<https://www.maritimeregulator.ie/knowledge-centre/faqs>

(ii) The legislation links on MARA's website.

<https://www.maritimeregulator.ie/knowledge-centre/legislation>

(iii) A detailed list of licence applications made to MARA (including for seaweed harvesting).

<https://www.maritimeregulator.ie/our-work/maritime-usage-licences/applications-determinations/>

## Fiosrúcháin Bhreise

Féach le do thoil ar:-

(i) An rannóg Ceisteanna Coitianta maidir le feamainn ar shuíomh gréasáin MARA.

(ii) Na naisc reachtaíochta ar shuíomh gréasáin MARA.

(iii) Liosta mionsonraithe d'iarratais ar cheadúnais a rinneadh chuig MARA (lena n-áirítear fómhar feamainne).

## Note:

**This note does not purport to be legal advice and it should not be relied on as such. It is a matter for any party reading this note to seek their own legal advice.**

**The contents of this note are subject to change reflecting legislative amendments, caselaw, Government circulars and changes to MARA's processes, procedures and approach.**

## Nóta:

**Ní hionann an nóta seo agus comhairle dlí agus níor cheart brath air mar sin. Is faoi gach páirtí a léann an nóta seo atá sé a chomhairle dlí féin a lorg.**

**Tá ábhar an nóta seo faoi réir athraithe de réir leasuithe reachtaíochta, cásdlí, ciorclán Rialtais agus athruithe ar phróisis, nósanna imeachta agus cur chuige MARA.**