

# IWAI Heritage Bill 2016 News Release No 2



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## *Reintroduction of Heritage Bill 2016 - Canals Act 1986 (amendment 2016) - provides an opportunity for new politics to shine!*

**IWAI President John Dolan notes that the upcoming Seanad Eireann Committee Stage 3 on the Heritage Bill 2016 presents an ideal opportunity for new partnership politics to be demonstrated by the new Partnership Government.**

This can be achieved by the provision of amendments when the bill is reintroduced to Seanad Éireann at 2pm Wednesday November 9th for Stage 3, including the withdrawal of the Canal Acts section from the bill to facilitate the introduction of a dedicated Canal Act with proper pre legislative consultation.

IWAI comment that if a Senator has an initial response of '**No**' to any of the following short questions then they should be concerned regarding what is proposed in this Bill.

- Is it acceptable that persons other than An Garda Siochana or Customs Officers have the right to stop and search boaters, walkers & cyclists etc. on Waterways Ireland property such as the canal towpaths, Greenways or Blueways? **(Heritage Bill 2016 Section 2 7B 1-12)**
- Is it acceptable that a Body with no Corporate Governance Structure or Board will be empowered to bring in any byelaws they want with only 30 days Consultation. Local Authority elected representatives have already stated that this is insufficient time to allow them to consider any proposed byelaws? **Section 2 7 (2) (a)-(e)**
- Is it appropriate to legislate for the introduction of fines & regulations that are overly penal and will not encourage use of the canals and which are not in place on the other Irish inland waterways under the management of Waterways Ireland? **Section 2 7 (4) & 7A (1)-(4)**
- Is it acceptable to introduce legislation to apply other penalties with no independent appeal mechanism other than the courts? **(Section 2 7 (4) & 7A (1)-(4)**
- Is it ok to make canals less user friendly by discriminating against tourism development on our Canals by introducing a complete different set of rules, charges, regulations and fines that are not in place on the adjoining Waterways? How will this encourage tourism growth?

The Inland Waterways Association of Ireland acknowledged the support of all Senators and TD'S in the Dail and Seanad for their cross party support and pledges during the 2016 elections. Significant numbers supported the IWAI call for a dedicated Canal Bill with pre legislative consultation with canal users, local canal communities, elected Local Authority Representatives and Local Authority Management and the tourism sectors.

IWAI believes that it is a negative and imbalanced approach to introduce legislation that penalises 99% of waterways communities to address the problematic area of 1% (due to unlicensed boats, harbour hogging). These matters can be legislated for without effectively penalising the other less populated areas.

IWAI believe that any proposed legislation should

- promote the development of the tourism potential of the canals and supports tourism initiatives on the canals, such as the IWAI Green and Silver circle trip through Dublin via both canals
- equally provide for the regulators and the **users** requirements
- in the absence of alternative private marinas on the canals provide for boaters moving through these linear waterways in safe areas, not isolated known problematic areas and without having to risk €150 per day fines after five days
- allow for the introduction of bye-laws that put user requirements, tourism development and local communities at the centre of the regulations in a manner that allows adequate consultation
- ensure that the enforcement & penalties regime governed by these bye-laws include a suitable independent appeals mechanism
- protect and maintain navigation heritage and usage for future generations

IWAI advise that while it would welcome and support proper regulations the proposed Heritage Bill does not put user requirements, local communities or tourism at the centre of the regulations. Rather it is a heavy handed approach that will result in a detrimental reduction of boat traffic on the canals.

The proposed Heritage Bill (2016) gives Waterways Ireland, the authority to appoint “officers” to carry out stop and search and seizure activities on boats and personal property on the Grand Canal, Royal Canal and River Barrow.

In the Republic of Ireland, search and seizure acts are limited to a number of specially trained and professional groups such as the Gardaí, Health a Safety Inspectors and Customs Officers. The boats affected by this new act include residential barges, hire boats and barges, restaurant barges, motor cruisers and fishing boats.

Boats will opt to move to the other Irish Waterways, managed by the same regulator, Waterways Ireland, where the regulations and facilities are more user friendly and where there are no oppressive fines and penalties.

The powers proposed within the new Act will affect those on the waterways of Carlow, Dublin, Kildare, Kilkenny, Laois, Longford, Meath, Offaly and Westmeath.

**Who to contact for further information**

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## Notes to Editor – the IWAI

The Inland Waterways Association of Ireland (IWAI) is a voluntary body representing over three thousand five hundred enthusiasts, with 23 branches across the island of Ireland.

The Inland Waterways Association of Ireland (IWAI) is an energetic, fun, voluntary organisation with members from all corners of the Island of Ireland, all sharing a keen and passionate enthusiasm for the waterways of Ireland.

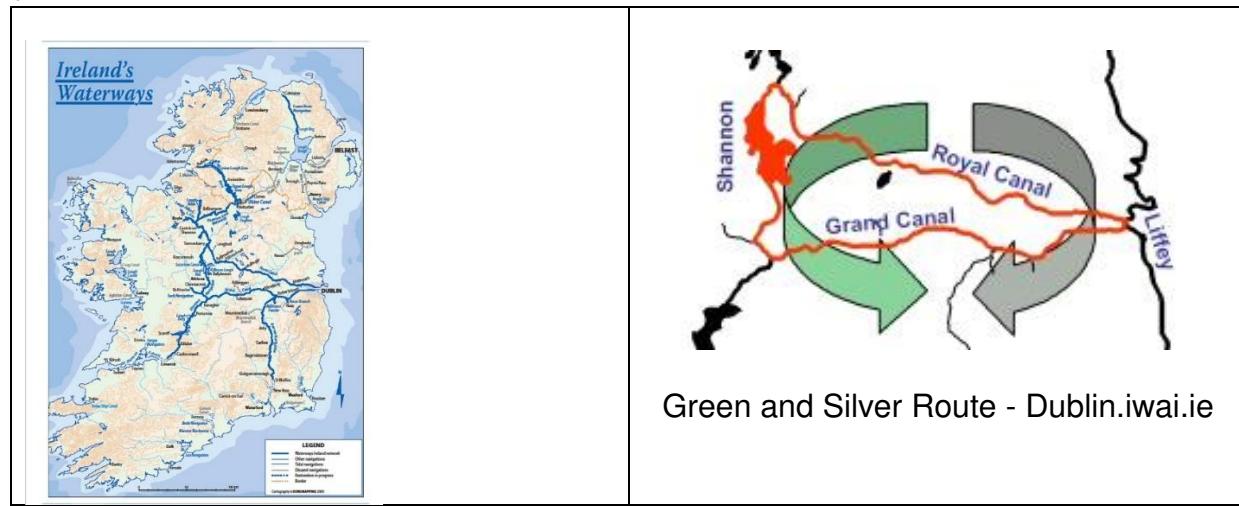
The IWAI advocates the navigation, use, maintenance, protection, restoration and improvement of the inland waterways of Ireland. It was formed in 1954 to promote the development, use and maintenance of Ireland's navigable rivers and canals.

When the Shannon was almost totally undeveloped for pleasure boating, the IWAI campaigned against the building of low bridges, thus ensuring the development of the river as a national asset. In the 1960s IWAI successfully campaigned to stop plans to close the Circular Line of the Grand Canal in Dublin. Later the Association campaigned for the re-opening of what is now the Shannon - Erne Waterway (formerly the Ballinamore & Ballyconnell Canal) and the Naas Line of the Grand Canal.

IWAI played its part in the restoration campaign for the re-opening of the Royal Canal between Dublin and the Shannon in recent years. IWAI assistance to the campaign to re-open the Ulster Canal has also borne fruit with the announcement that work is to begin on re-opening the section from the Erne to Clones. Currently, IWAI members are active in restoration projects on the Boyne, Newry and Lagan Canals.

IWAI Branches hold approximately 200 events each year across inland navigations with the wider communities in many locations. These events include Boat Rallies, Harbour Festivals, Walks, Social Gatherings, Heritage Activities; Family activities and Youth focused events.

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National Website Details [www.iwai.ie](http://www.iwai.ie) [www.facebook.com/IWAICanals](https://www.facebook.com/IWAICanals).