



Marine and Coastal Access Act 2009

2009 CHAPTER 23

PART 1

THE MARINE MANAGEMENT ORGANISATION

CHAPTER 1

ESTABLISHMENT

1 The Marine Management Organisation

- (1) There is to be a body known as the Marine Management Organisation (“the MMO”).
- (2) The MMO is to have the functions conferred on it by or under this Act or any other enactment.
- (3) Schedule 1 contains further provisions about the MMO.
- (4) Schedule 2 contains minor and consequential amendments relating to the MMO.

Commencement Information

II S. 1 in force at 12.1.2010 by S.I. 2009/3345, art. 2, Sch. para. 1

2 General objective

- (1) It is the duty of the MMO to secure that the MMO functions are so exercised that the carrying on of activities by persons in the MMO's area is managed, regulated or controlled—
 - (a) with the objective of making a contribution to the achievement of sustainable development (see subsections (2) and (4) to (11)),
 - (b) taking account of all relevant facts and matters (see subsection (3)), and

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Changes to legislation: Marine and Coastal Access Act 2009, Chapter 1 is up to date with all changes known to be in force on or before 14 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

(c) in a manner which is consistent and co-ordinated (see subsection (12)).

Any reference in this Act to the MMO's "general objective" is a reference to the duty imposed on the MMO by this subsection.

- (2) In pursuit of its general objective, the MMO may take any action which it considers necessary or expedient for the purpose of furthering any social, economic or environmental purposes.
- (3) For the purposes of subsection (1)(b), the facts and matters that may be taken into account include each of the following—
- (a) scientific evidence, whether available to, or reasonably obtainable by, the MMO;
 - (b) other evidence so available or obtainable relating to the social, economic or environmental elements of sustainable development;
 - (c) such facts or matters not falling within paragraph (a) or (b) as the MMO may consider appropriate.

See also section 24 (powers of MMO in relation to research).

- (4) The Secretary of State is to give the MMO guidance as to the manner in which the MMO is to seek to secure that the contribution to the achievement of sustainable development mentioned in subsection (1)(a) is made (and see also section 38 (guidance)).
- (5) In preparing any such guidance the Secretary of State must take into consideration—
- (a) the functions of the MMO, and
 - (b) the resources available, or likely to be available, to the MMO.
- (6) A draft of any guidance proposed to be given under this section is to be laid before each House of Parliament.
- (7) Guidance is not to be given under this section until after the end of the period of 40 days beginning with—
- (a) the day on which a draft of the guidance is so laid, or
 - (b) if the draft is laid on different days, the later of the two days.
- (8) If, within that period, either House resolves that the guidance, the draft of which was laid before it, should not be given, the Secretary of State must not give that guidance.
- (9) In reckoning any period of 40 days for the purposes of subsection (7) or (8), no account is to be taken of any time during which—
- (a) Parliament is dissolved or prorogued, or
 - (b) both Houses are adjourned for more than four days.
- (10) The Secretary of State must publish, in such manner as the Secretary of State may determine, any guidance given to the MMO under this section.
- (11) The MMO must provide any person on request with a copy of the whole or any part of any such guidance.
- (12) In this section—
- “consistent and co-ordinated” includes taking into account the effect (if any) that decisions in respect of—
 - (a) any particular part of the MMO's area, or
 - (b) the carrying on of any activity within that area,

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will have on any other part of that area or the carrying on of any other activity in that area;

“evidence” includes predictions and other opinions resulting from the consideration of evidence by any person;

“the MMO's area” means those parts of the UK marine area, or of the United Kingdom, where MMO functions are exercisable;

“MMO functions” means functions exercisable by or on behalf of the MMO.

Commencement Information

I2 [S. 2](#) in force at 12.1.2010 by [S.I. 2009/3345](#), art. 2, [Sch. para. 1](#)

3 Performance

(1) The MMO is to use its best endeavours to meet such objectives as the Secretary of State may from time to time set with regard to the quality and effectiveness of its performance.

(2) Subsection (6) of section 24 of the Legislative and Regulatory Reform Act 2006 (c. 51) (consultation) does not apply in relation to an order under subsection (2) of that section specifying regulatory functions of the MMO as functions to which sections 21 and 22 of that Act (principles and code of practice) apply.

Commencement Information

I3 [S. 3](#) in force at 12.1.2010 by [S.I. 2009/3345](#), art. 2, [Sch. para. 1](#)

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Changes to legislation:

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