

Status: Point in time view as at 06/04/2011.

Changes to legislation: Marine and Coastal Access Act 2009, Schedule 22 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)

SCHEDULES

SCHEDULE 22

Section 321

REPEALS

PART 1

EEZ, UK MARINE AREA AND WELSH ZONE

Commencement Information

II Sch. 22 Pt. 1 in force at 12.1.2010 for specified purposes by S.I. 2009/3345, art. 2, Sch. para. 27(a)

<i>Short title and chapter</i>	<i>Extent of repeal</i>
Fishery Limits Act 1976 (c. 86)	Section 1(3) and (4).
Government of Wales Act 2006 (c. 32)	In section 158(1), the word “and” preceding the definition of “Wales”.

PART 2

MARINE LICENSING

Commencement Information

I2 Sch. 22 Pt. 2 in force at 6.4.2011 by S.I. 2011/556, art. 3(2)(b)

<i>Short title and chapter</i>	<i>Extent of repeal</i>
Coast Protection Act 1949 (c. 74)	Part 2. Section 47(a), (b) and (d). Section 49(2A).
Telecommunications Act 1984 (c. 12)	In Schedule 2, in paragraph 11— (a) sub-paragraphs (3) to (10); (b) in sub-paragraph (11), the definition of “remedial works”.
Food and Environment Protection Act 1985 (c. 48)	In section 5— (a) paragraph (b);

The repeals in the Coast Protection Act 1949 (c. 74) and the Merchant Shipping Act 1988 (c. 12) extend to England and Wales only.

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(b) in paragraph (e), sub-paragraph (ii) and the “or” preceding that sub-paragraph.

In section 6(1)(a), sub-paragraph (ii) and the “or” preceding it.

Section 7A(5).

In section 8(6), the words “evidence, and in Scotland”.

Section 9(5) to (7).

Section 21(8).

In section 24(1)—

(a) the definitions of “adjacent to Scotland”, “Gas Importation and Storage Zone”, “United Kingdom waters” and “United Kingdom controlled waters”;

(b) in the definition of “licensing authority”, paragraph (a) and, in paragraph (b)(iii), the words from “and the functions” to the end.

Section 24(2A).

Sections 25(3) and 26.

Merchant Shipping Act 1988 (c. 12) Section 36.

Environmental Protection Act 1990 Section 146(2) to (5) and (7).
(c. 43)

Government of Wales Act 2006 In Schedule 3, paragraph 4(1)(a).
(c. 32)

Planning Act 2008 (c. 29) Sections 148 and 149.
In Schedule 5, paragraphs 27 to 30.

The repeals in the Coast Protection Act 1949 (c. 74) and the Merchant Shipping Act 1988 (c. 12) extend to England and Wales only.

PART 3

NATURE CONSERVATION

Commencement Information

I3 [Sch. 22 Pt. 3](#) partly in force; [Sch. 22 Pt. 3](#) in force for specified purposes at 12.1.2010 see [s. 324\(2\)\(b\)\(i\)\(4\)](#)

<i>Short title and chapter</i>	<i>Extent of repeal</i>
Wildlife and Countryside Act 1981 (c. 69)	Sections 36 and 37. In section 67(2), “36”. Schedule 12.
Territorial Sea Act 1987 (c. 49)	Section 3(2)(b).

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	In Schedule 1, paragraph 6.
Water Act 1989 (c. 15)	In Schedule 25, paragraph 66(2).
Local Government (Wales) Act 1994 (c. 19)	In Schedule 16, paragraph 65(4) and (10).

PART 4

MANAGEMENT OF INSHORE FISHERIES

Commencement Information

- I4** Sch. 22 Pt. 4 in force at 1.4.2010 for W. by S.I. 2010/630, **art. 3(b)** (with arts. 8, 12)
I5 Sch. 22 Pt. 4 in force at 1.4.2011 for E. by S.I. 2011/556, **art. 2(2)(o)** (with art. 2(3))

<i>Short title and chapter</i>	<i>Extent of repeal</i>
Coast Protection Act 1949 (c. 74)	In section 2— (a) in subsection (2)(b), “local fisheries committee,”; (b) in subsection (8)(a), “or local fisheries committee,”. In section 45(1)(b), “local fisheries committee,”. In section 49(1), the definition of “local fisheries committee”. In Part 1 of the First Schedule, in paragraph 1(b), “local fisheries committee,”.
Nuclear Installations Act 1965 (c. 57)	In section 3(3)(b), the words “or any local fisheries committee”.
Sea Fisheries Regulation Act 1966 (c. 38)	The whole Act.
Sea Fisheries (Shellfish) Act 1967 (c. 83)	In Schedule 2, the entry for the Sea Fisheries Regulation Act 1966.
Sea Fish (Conservation) Act 1967 (c. 84)	In section 3(7), the words from “or in any byelaw” to “the Sea Fisheries Regulation Act 1966,”. Section 13. In section 16— (a) paragraph (d) of subsection (1) (but not the “and” following that paragraph); (b) subsection (2). Section 17. In section 22(1), the definition of “local fisheries committee”.

The repeal of any enactment by Part 4 of this Schedule has the same extent as the enactment repealed.

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Prevention of Oil Pollution Act 1971 (c. 60)	Section 19(6).
Local Government Act 1972 (c. 70)	Section 101(9)(d).
Local Government Act 1974 (c. 7)	In section 31A(3), paragraph (b) (but not the “or” following that paragraph).
Fishery Limits Act 1976 (c. 86)	In Schedule 1, paragraph 1.
Fisheries Act 1981 (c. 29)	In Schedule 4, paragraph 10.
Wildlife and Countryside Act 1981 (c. 69)	In section 27(1), in paragraph (c) of the definition of “authorised person”, the words “or a local fisheries committee constituted under the Sea Fisheries Regulation Act 1966”.
Local Government Act 1985 (c. 51)	In Schedule 8, paragraph 19.
Salmon Act 1986 (c. 62)	Section 37.
Water Act 1989 (c. 15)	In Schedule 17— (a) paragraph 1(4)(a); (b) paragraph 5.
Local Government and Housing Act 1989 (c. 42)	In section 5— (a) subsection (4); (b) in subsection (5)— (a) the words “and of any such committee as is mentioned in subsection (4) above”; (b) in paragraph (a), the words “or committee”; (c) in subsection (8), the word “and” at the end of the definition of “chief finance officer”. Section 13(4)(b). In Schedule 1, paragraph 2(1)(d).
Water Consolidation (Consequential Provisions) Act 1991 (c. 60)	In Schedule 1, paragraph 16.
Sea Fisheries (Wildlife Conservation) Act 1992 (c. 36)	In section 1— (a) in subsection (1), the words “or any relevant body”; (b) in subsection (2), the definition of “relevant body”.
Radioactive Substances Act 1993 (c. 12)	In section 47(1), in the definition of “relevant water body”, the words “or a local fisheries committee”. In Schedule 3, paragraph 3.
Local Government (Wales) Act 1994 (c. 19)	In Schedule 16, paragraph 26.
Environment Act 1995 (c. 25)	Section 102. In Schedule 15— (a) paragraph 2(4)(a);

The repeal of any enactment by Part 4 of this Schedule has the same extent as the enactment repealed.

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- (b) paragraph 5;
- (c) paragraph 24.

Freedom of Information Act 2000 In Schedule 1, paragraph 35A.
(c. 36)

Natural Environment and Rural In Schedule 11, paragraph 38.
Communities Act 2006 (c. 16)

Regulatory Enforcement and In Schedules 3, 6 and 7, the entry relating to the Sea
Sanctions Act 2008 (c. 13) Fisheries Regulation Act 1966 (c. 38).

In Schedule 5, the entry relating to local fisheries
committees.

The repeal of any enactment by Part 4 of this Schedule has the same extent as the enactment repealed.

PART 5

FISHERIES

Commencement Information

- I6** Sch. 22 Pt. 5 in force at 12.1.2010 for specified purposes by S.I. 2009/3345, art. 2, Sch. para. 27(b)
- I7** Sch. 22 Pt. 5 in force at 1.4.2010 for specified purposes by S.I. 2010/298, art. 2, Sch. para. 12
- I8** Sch. 22 Pt. 5 in force at 1.1.2011 in so far as not already in force by S.I. 2010/298, art. 2, Sch. para. 14

(A) REPEALS RELATING TO CHAPTERS 1 AND 2 OF PART 7

<i>Short title and chapter</i>	<i>Extent of repeal</i>
Sea Fisheries (Shellfish) Act 1967 (c. 83)	Section 1(4). In section 4(7), “, is subsequently convicted of another such offence”. In Schedule 1, paragraphs 4(1) and 5.
Sea Fish (Conservation) Act 1967 (c. 84)	In section 11(1)— (a) paragraph (b); (b) in paragraph (c), “1, 2,” and “, 6(5) or (5A)(b)”. In section 15(2C), paragraph (b) and the word “or” preceding it.
Sea Fisheries Act 1968 (c. 77)	Section 15(2).
Fisheries Act 1981 (c. 29)	Section 19(2)(c). In section 22— (a) subsection (2)(a); (b) subsection (3). Section 28.
Sea Fish (Conservation) Act 1992 (c. 60)	In section 5, paragraph (b).

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Criminal Justice and Public Order Act 1994 (c. 33) In Part 1 of Schedule 8, the entries relating to sections 3(3) and 7(4) of the Sea Fisheries (Shellfish) Act 1967.

Merchant Shipping Act 1995 (c. 21) In Schedule 13, paragraph 38(a) and (b).

Sea Fisheries (Shellfish) Section 1.
(Amendment) Act 1997 (c. 3)

(B) REPEALS RELATING TO CHAPTER 3 OF PART 7 (MIGRATORY AND FRESHWATER FISH)

<i>Short title and chapter</i>	<i>Extent of repeal</i>
Theft Act 1968 (c. 60)	In Schedule 1, paragraph 2(2).
Salmon and Freshwater Fisheries Act 1975 (c. 51)	In section 1— <ul style="list-style-type: none"> (a) in subsection (1), the words “Subject to subsection (4) below,”; (b) subsection (4). Section 3. In section 4— <ul style="list-style-type: none"> (a) in subsection (1), the words “Subject to subsection (2) below”; (b) subsection (2). Sections 6 to 8. Sections 16 and 17. Sections 19 to 22. Sections 23 and 24. In section 25— <ul style="list-style-type: none"> (a) in subsection (4), the words from “gaff” to “tailer or”; (b) subsections (5) and (6). In section 31(1)— <ul style="list-style-type: none"> (a) in paragraph (b), the words “in contravention of this Act”; (b) in paragraph (c)(i), the words “which has been caught in contravention of this Act”. Section 32(1)(ii) and the preceding “or”. In section 34— <ul style="list-style-type: none"> (a) in the heading, the words “at night”; (b) the words from “between the end” to “following morning”. Section 35(2). Schedule 1. In Schedule 2— <ul style="list-style-type: none"> (a) in paragraph 11, the words from “together” to the end;

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	(b) paragraph 12.
	In Schedule 4, in the table in paragraph 1(2), the entries relating to section 19(2), section 19(4), section 19(6), section 19(7) and section 21.
Fisheries Act 1981 (c. 29)	In Schedule 4— (a) paragraph 2; (b) paragraph 4; (c) in paragraph 6(c), the words “(not being a fixed engine)”; (d) in paragraph 6(d), the words “(not being fixed engines)”; (e) paragraph 28.
Salmon Act 1986 (c. 62)	In section 32— (a) in subsection (1), the words “by or for the benefit of another person”; (b) subsection (6)(a). Section 33(1) and (2).
Territorial Sea Act 1987 (c. 49)	In Schedule 1, paragraph 3.
Water Act 1989 (c. 15)	In Schedule 17, paragraph 7(3), (4), (9)(b) and (12).
Water Resources Act 1991 (c. 57)	In section 212— (a) in subsection (2)(a), the words “(not being a fixed engine)”; (b) in subsection (2)(b), the words “(not being fixed engines)”; (c) subsection (3). In Schedule 25— (a) in paragraph 6(2), the words “Subject to paragraph 7(1) below”; (b) in paragraph 6(2)(c), the words “(not being a fixed engine)”; (c) in paragraph 6(2)(d), the words “(not being fixed engines)”; (d) in paragraph 6(2)(g), the word “licensed”; (e) paragraph 6(3) and (4); (f) paragraph 7.
Environment Act 1995 (c. 25)	In Schedule 15, paragraphs 8, 9, 15 and 22.
Criminal Justice Act 2003 (c. 44)	In Schedule 25, paragraph 70. In Part 9 of Schedule 37, the entry relating to the Theft Act 1968 (c. 60).
Serious Crime Act 2007 (c. 27)	In Schedule 1, in paragraph 13(1), the words “for salmon, trout or freshwater fish”.

(C) REPEALS RELATING TO CHAPTER 4 OF PART 7 (OBSOLETE ENACTMENTS)

Short title and chapter

Extent of repeal

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White Herring Fisheries Act 1771 (c. 31)	The whole Act.
Seal Fishery Act 1875 (c. 18)	The whole Act.
Fisheries Act 1891 (c. 37)	Section 13.
North Sea Fisheries Act 1893 (c. 17)	The whole Act.
Behring Sea Award Act 1894 (c. 2)	The whole Act.
Seal Fisheries (North Pacific) Act 1895 (c. 21)	The whole Act.
Seal Fisheries (North Pacific) Act 1912 (c. 10)	The whole Act.
Port of London Act 1968 (c. xxxii)	Sections 86, 87 and 163. In section 167, paragraph (b). In section 168(2), the words from “, except for byelaws” to the end.
Customs and Excise Management Act 1979 (c. 2)	In paragraph 12 of Schedule 4, the entry relating to the Seal Fisheries (North Pacific) Act 1912.
Statute Law (Repeals) Act 1993 (c. 50)	In Schedule 2, paragraph 8.
Merchant Shipping Act 1995 (c. 21)	In Schedule 13, paragraphs 11 and 12.
Courts Act 2003 (c. 39)	In Schedule 8, paragraph 65.
Criminal Justice Act 2003 (c. 44)	In Schedule 25, paragraphs 12 and 13.

PART 6

ENFORCEMENT

Commencement Information

19 Sch. 22 Pt. 6 in force at 12.1.2010 by S.I. 2009/3345, art. 2, Sch. para. 27(c)

<i>Short title and chapter</i>	<i>Extent of repeal</i>
Sea Fisheries Act 1968 (c. 77)	In section 7— (a) in subsection (1)(d), the words “of the Secretary of State or”; (b) subsection (5)(a).

PART 7

COASTAL ACCESS

<i>Short title and chapter</i>	<i>Extent of repeal</i>
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Countryside and Rights of Way Act 2000 (c. 37) In section 1(1), the word “or” at the end of paragraph (d).
In section 16(6), the word “and” at the end of paragraph (c).
In section 20(1), the word “and” at the end of paragraph (a).

PART 8

MISCELLANEOUS

Commencement Information

I10 Sch. 22 Pt. 8 in force at 12.1.2010 by S.I. 2009/3345, art. 2, Sch. para. 27(d)

<i>Short title and chapter</i>	<i>Extent of repeal</i>
Harbours Act 1964 (c. 40)	In Schedule 3, paragraph 18(3)(a).
Civil Contingencies Act 2004 (c. 36)	In Schedule 1, paragraph 11A.
Natural Environment and Rural Communities Act 2006 (c. 16)	In Schedule 11, paragraph 174.

Status:

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