
STATUTORY INSTRUMENTS

2009 No. 2258

**ENVIRONMENTAL PROTECTION,
ENGLAND AND WALES**

The Marine Works (Environmental Impact
Assessment)(Amendment)(England and
Wales) Regulations 2009 (revoked)^{F1}

<i>Made</i>	- - - -	<i>12th August 2009</i>
<i>Laid before Parliament</i>		<i>25th August 2009</i>
<i>Coming into force</i>	- -	<i>1st October 2009</i>

F1

Textual Amendments

F1 Regulations revoked (6.4.2011) by [The Marine Works \(Environmental Impact Assessment\) \(Amendment\) Regulations 2011 \(S.I. 2011/735\)](#), regs. 1, **15**

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Marine Works (Environmental Impact Assessment) Regulations 2007 (“the principal Regulations”). The principal Regulations implement, in relation to certain marine works, Directive [2003/35/EC](#) of the European Parliament and of the Council providing for public participation in respect of the drawing up of certain plans and programmes relating to the environment and amending with regard to public participation and access to justice Council Directives [85/337/EEC](#) and [96/61/EC](#) (OJ L 156, 25.6.2003, p.17) and Council Directive [85/337/EEC](#) on the assessment of the effects of certain public and private projects on the environment (OJ L 175, 5.7.1985, p. 40), as last amended by Directive [2003/35/EC](#).

These Regulations, which extend to England and Wales only, clarify that, for the purposes of the principal Regulations, “harbour works” include works involving the making of modifications to an existing harbour, such as the extraction of minerals by dredging in harbours, where the making of modifications to the harbour is not the purpose of the works.

These Regulations also provide that the Welsh Ministers are the appropriate authority as regards harbour works in Wales carried out for the purposes of extraction of minerals by dredging. The effect of this is that the Welsh Ministers have the function of issuing environmental impact assessment consents for the extraction of minerals by dredging in harbours.

A transposition note setting out how the amendments made in these Regulations transpose the provisions of Directive [85/337/EEC](#) and a full impact assessment of the effect that this instrument will have on the costs of business and the voluntary sector are annexed to the Explanatory Memorandum which is available alongside the instrument on the OPSI website. Copies are available from the Marine Strategy and Evidence Division, Department for Environment, Food and Rural Affairs, Nobel House 17 Smith Square, London SW1P 3JR.

Changes to legislation:

There are currently no known outstanding effects for the The Marine Works (Environmental Impact Assessment)(Amendment)(England and Wales) Regulations 2009 (revoked).