



Marine and Coastal Access Act 2009

CHAPTER 23

MARINE AND COASTAL ACCESS ACT 2009

PART 1

THE MARINE MANAGEMENT ORGANISATION

CHAPTER 1

ESTABLISHMENT

- 1 The Marine Management Organisation
- 2 General objective
- 3 Performance

CHAPTER 2

TRANSFER OF FUNCTIONS TO THE MMO

Sea Fish (Conservation) Act 1967

- 4 Licensing of fishing boats
- 5 Restrictions on time spent at sea: appeals
- 6 Trans-shipment licences for vessels
- 7 Regulations supplementary to sections 4 and 4A
- 8 Exemptions for operations for scientific and other purposes

Nature conservation

- 9 Licences to kill or take seals
- 10 Wildlife and Countryside Act 1981
- 11 Sea Fisheries (Wildlife Conservation) Act 1992

Status: Point in time view as at 22/01/2021.

Changes to legislation: Marine and Coastal Access Act 2009 is up to date with all changes known to be in force on or before 18 June 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)

Generating and renewable energy installations

- 12 Certain consents under section 36 of the Electricity Act 1989
- 13 Safety zones: functions under section 95 of the Energy Act 2004

CHAPTER 3

AGREEMENTS INVOLVING THE MMO FOR THE EXERCISE OF FUNCTIONS

Powers to enter into agreements

- 14 Agreements between the Secretary of State and the MMO
- 15 Agreements between the MMO and eligible bodies
- 16 Eligible bodies
- 17 Non-delegable functions
- 18 Maximum duration of agreement

Supplementary provisions

- 19 Particular powers
- 20 Agreements with certain harbour authorities
- 21 Supplementary provisions with respect to agreements
- 22 Interpretation of this Chapter

CHAPTER 4

MISCELLANEOUS, GENERAL AND SUPPLEMENTAL PROVISIONS

Applications for development consent

- 23 MMO's role in relation to applications for development consent

General powers and duties

- 24 Research
- 25 Advice, assistance and training facilities
- 26 Provision of information etc
- 27 Power to charge for services
- 28 Provision of information by the MMO to the Secretary of State
- 29 Power to bring proceedings
- 30 Continuation of certain existing prosecutions
- 31 Incidental powers

Financial provisions

- 32 Grants
- 33 Borrowing powers
- 34 Limit on borrowing
- 35 Government loans
- 36 Government guarantees

Directions and guidance

- 37 Directions by the Secretary of State
- 38 Guidance by the Secretary of State

Status: Point in time view as at 22/01/2021.

Changes to legislation: Marine and Coastal Access Act 2009 is up to date with all changes known to be in force on or before 18 June 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)

Transfer schemes etc

- 39 Transfer schemes
- 40 Interim arrangements

PART 2

EXCLUSIVE ECONOMIC ZONE, UK MARINE AREA AND WELSH ZONE

- 41 Exclusive economic zone
- 42 UK marine area
- 43 Welsh zone

PART 3

MARINE PLANNING

CHAPTER 1

MARINE POLICY STATEMENT

- 44 Marine policy statement
- 45 Preparation and coming into effect of statement
- 46 Review of statement
- 47 Amendment of statement
- 48 Withdrawal of, or from, statement

CHAPTER 2

MARINE PLANS

- 49 Marine planning regions
- 50 Marine plan authorities
- 51 Marine plans for marine plan areas
- 52 Amendment of marine plan
- 53 Withdrawal of marine plan
- 54 Duty to keep relevant matters under review

CHAPTER 3

DELEGATION OF FUNCTIONS RELATING TO MARINE PLANS

- 55 Delegation of functions relating to marine plans
- 56 Directions under section 55: supplementary provisions
- 57 Directions to public bodies as regards performance of delegated functions

CHAPTER 4

IMPLEMENTATION AND EFFECT

Decisions affected by an MPS or marine plan

- 58 Decisions affected by marine policy documents
- 59 The appropriate marine policy documents
- 60 Meaning of “retained functions” etc

Status: Point in time view as at 22/01/2021.

Changes to legislation: Marine and Coastal Access Act 2009 is up to date with all changes known to be in force on or before 18 June 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)

Monitoring and reporting

- 61 Monitoring of, and periodical reporting on, implementation

CHAPTER 5

MISCELLANEOUS AND GENERAL PROVISIONS

Validity of documents under this Part

- 62 Validity of marine policy statements and marine plans
63 Powers of the court on an application under section 62

Interpretation and Crown application

- 64 Interpretation and Crown application of this Part

PART 4

MARINE LICENSING

CHAPTER 1

MARINE LICENCES

- 65 Requirement for licence
66 Licensable marine activities
67 Applications
67A Advice and other assistance from the Welsh Ministers
68 Notice of applications
69 Determination of applications
70 Inquiries
71 Licences
72 Variation, suspension, revocation and transfer
72A Further fees chargeable where the Welsh Ministers are the appropriate licensing authority
73 Appeals against licensing decisions
73A Proceedings for questioning certain decisions under sections 70 and 71
73B Applications under section 73A: requirement for permission

CHAPTER 2

EXEMPTIONS AND SPECIAL CASES

Exemptions

- 74 Exemptions specified by order
75 Exemptions for certain dredging etc activities
76 Dredging in the Scottish zone
77 Oil and gas activities and carbon dioxide storage

Special provisions in certain cases

- 78 Special procedure for applications relating to harbour works
79 Special procedure for applications relating to certain electricity works

Status: Point in time view as at 22/01/2021.

Changes to legislation: Marine and Coastal Access Act 2009 is up to date with all changes known to be in force on or before 18 June 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)

- 79A Special procedure for applications relating to certain electricity works (Northern Ireland)
- 80 Electronic communications apparatus
- 81 Submarine cables on the continental shelf
- 82 Structures in, over or under a main river
- 83 Requirements for Admiralty consent under local legislation
- 84 Byelaws for flood defence and drainage purposes

CHAPTER 3

ENFORCEMENT

Offences

- 85 Breach of requirement for, or conditions of, a licence
- 86 Action taken in an emergency
- 87 Electronic communications: emergency works
- 88 Activity licensed by another State
- 89 Information

Enforcement notices

- 90 Compliance notice
- 91 Remediation notice
- 92 Further provision as to enforcement notices

Civil sanctions

- 93 Fixed monetary penalties
- 94 Fixed monetary penalties: procedure
- 95 Variable monetary penalties
- 96 Variable monetary penalties: procedure
- 97 Further provision about civil sanctions

CHAPTER 4

DELEGATION

- 98 Delegation of functions relating to marine licensing
- 99 Orders under section 98: supplementary provisions
- 100 Directions to persons as regards performance of delegated functions

CHAPTER 5

SUPPLEMENTARY

Register

- 101 Register

Stop notices and emergency safety notices

- 102 Notice to stop activity causing serious harm etc
- 103 Further provision as to stop notices
- 104 Emergency safety notices

Status: Point in time view as at 22/01/2021.

Changes to legislation: Marine and Coastal Access Act 2009 is up to date with all changes known to be in force on or before 18 June 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)

105 Further provision as to emergency safety notices

Other powers

106 Power to take remedial action

107 Power to test, and charge for testing, certain substances

107A Deposits on account of fees payable to the Welsh Ministers

107B Supplementary provision about fees payable to the Welsh Ministers

Appeals against notices under this Part

108 Appeals against notices

Offences: supplementary provision

109 General defence of due diligence

110 Offences: jurisdiction

Fees

110A Fees: oil and gas activities for which marine licence needed

Application to the Crown

111 Application to the Crown

Consequential and transitional provision

112 Amendments and transitional provision

Interpretation

113 The appropriate licensing authority

114 Meaning of “enforcement authority”

115 Interpretation of this Part

PART 5

NATURE CONSERVATION

CHAPTER 1

MARINE CONSERVATION ZONES

Designation of zones

116 Marine conservation zones

117 Grounds for designation of MCZs

118 Further provision as to orders designating MCZs

119 Consultation before designation

120 Publication of orders designating MCZs

121 Hearings by appropriate authority

122 Amendment, revocation and review of orders designating MCZs

Duties relating to network

123 Creation of network of conservation sites

124 Report

Status: Point in time view as at 22/01/2021.

Changes to legislation: Marine and Coastal Access Act 2009 is up to date with all changes known to be in force on or before 18 June 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)

Duties of public authorities

- 125 General duties of public authorities in relation to MCZs
- 126 Duties of public authorities in relation to certain decisions
- 127 Advice and guidance by conservation bodies
- 128 Failure to comply with duties etc

Byelaws for protection of MCZs etc: England

- 129 Byelaws for protection of MCZs in England
- 130 Byelaws: procedure
- 131 Emergency byelaws
- 132 Interim byelaws
- 133 Further provision as to byelaws

Orders for protection of MCZs etc: Wales

- 134 Orders for protection of MCZs in Wales
- 135 Consultation etc regarding orders under section 134
- 136 Interim orders
- 137 Further provision as to orders made under section 134 or 136

Hearings

- 138 Hearings by Secretary of State or Welsh Ministers

Offences

- 139 Offence of contravening byelaws or orders
- 140 Offence of damaging etc protected features of MCZs
- 141 Exceptions to offences under section 139 or 140

Fixed monetary penalties

- 142 Fixed monetary penalties
- 143 Fixed monetary penalties: procedure
- 144 Further provision about fixed monetary penalties

Miscellaneous and supplemental

- 145 Application to the Crown
- 146 Consequential and transitional provision
- 147 Interpretation of this Chapter

CHAPTER 2

OTHER CONSERVATION SITES

- 148 Marine boundaries of SSSIs and national nature reserves

PART 6

MANAGEMENT OF INSHORE FISHERIES

CHAPTER 1

INSHORE FISHERIES AND CONSERVATION AUTHORITIES

Status: Point in time view as at 22/01/2021.

Changes to legislation: Marine and Coastal Access Act 2009 is up to date with all changes known to be in force on or before 18 June 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)

Inshore fisheries and conservation districts and authorities

- 149 Establishment of inshore fisheries and conservation districts
- 150 Inshore fisheries and conservation authorities
- 151 Membership and proceedings of IFC authorities
- 152 Amendment or revocation of orders under section 149

Main duties

- 153 Management of inshore fisheries
- 154 Protection of marine conservation zones

Byelaws

- 155 Power to make byelaws
- 156 Provision that may be made by byelaw
- 157 Emergency byelaws
- 158 Byelaws: supplementary provision
- 159 Power of Secretary of State to amend or revoke byelaws
- 160 Byelaws: procedure
- 161 Inquiries
- 162 Evidence of byelaws

Offences

- 163 Offences
- 164 Powers of court following conviction

Enforcement

- 165 Inshore fisheries and conservation officers
- 166 Powers of IFC officers

Power to delegate functions

- 167 Power to enter into agreements with eligible bodies
- 168 Eligible bodies
- 169 Variation, review and cancellation of agreements under section 167
- 170 Agreements under section 167: particular powers
- 171 Supplementary provisions with respect to agreements under section 167

Other powers and duties of IFC authorities

- 172 Development, etc of fisheries
- 173 Provision of services by IFC authorities
- 174 Duty of co-operation
- 175 Information
- 176 Accounts
- 177 Annual plan
- 178 Annual report
- 179 Supplementary powers

Miscellaneous and supplemental

- 180 Expenses of IFC authorities
- 181 IFC authority as party to proceedings
- 182 Exemption from liability

Status: Point in time view as at 22/01/2021.

Changes to legislation: Marine and Coastal Access Act 2009 is up to date with all changes known to be in force on or before 18 June 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)

- 183 Report by Secretary of State
- 184 Minor and consequential amendments
- 185 Application to the Crown
- 186 Interpretation of this Chapter

CHAPTER 2

LOCAL FISHERIES COMMITTEES

- 187 Abolition of local fisheries committees
- 188 Power to make consequential or transitional provision, etc

CHAPTER 3

INSHORE FISHERIES IN WALES

- 189 Power of Welsh Ministers in relation to fisheries in Wales
- 190 Offences
- 191 Powers of court following conviction
- 192 Power to provide services for purposes of enforcement
- 193 Miscellaneous amendments

PART 7

FISHERIES

CHAPTER 1

THE SEA FISH (CONSERVATION) ACT 1967

- 194 Size limits for sea fish
- 195 Regulation of nets and other fishing gear
- 196 Charging for commercial fishing licences
- 197 Grant of licences subject to conditions imposed for environmental purposes
- 198 Power to restrict fishing for sea fish
- 199 Penalties for offences
- 200 Offences by directors, partners, etc
- 201 Minor and consequential amendments

CHAPTER 2

THE SEA FISHERIES (SHELLFISH) ACT 1967

- 202 Power to make orders as to fisheries for shellfish
- 203 Variation etc of orders as a result of development
- 204 Purposes for which tolls etc may be applied
- 205 Increase in penalties for certain offences relating to fisheries for shellfish
- 206 Liability of master, etc where vessel used in commission of offence
- 207 Restrictions imposed by grantees, etc
- 208 Cancellation of licence after single relevant conviction
- 209 Register of licences
- 210 Protection of private shellfish beds

Status: Point in time view as at 22/01/2021.

Changes to legislation: Marine and Coastal Access Act 2009 is up to date with all changes known to be in force on or before 18 June 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)

- 211 Use of implements of fishing
- 212 Taking of crabs and lobsters for scientific purposes
- 213 Orders prohibiting the taking and sale of certain lobsters
- 214 Power to appoint inspector before making orders as to fisheries for shellfish

CHAPTER 3

MIGRATORY AND FRESHWATER FISH

Taking fish etc

- 215 Prohibited implements
- 216 Roe etc
- 217 Licences to fish
- 218 Limitation of licences
- 219 Authorisation to fish
- 220 Enforcement
- 221 Power to specify fish
- 222 Order-making powers: supplementary
- 223 Definitions relating to fish

Byelaws

- 224 Power to make byelaws
- 225 Byelaws: emergency procedures
- 226 Byelaws: enforcement
- 227 Byelaws: compensation

Supplementary

- 228 Theft of fish from private fisheries etc
- 229 Handling fish
- 230 Duties of the Environment Agency
- 231 Tweed and Esk fisheries
- 232 Keeping, introduction and removal of fish
- 233 Consequential and supplementary amendments

CHAPTER 4

OBSOLETE FISHERIES ENACTMENTS

- 234 Repeal of spent or obsolete enactments

PART 8

ENFORCEMENT

CHAPTER 1

ENFORCEMENT OFFICERS

Marine enforcement officers

- 235 Marine enforcement officers
- 236 Enforcement of marine licensing regime

Status: Point in time view as at 22/01/2021.

Changes to legislation: Marine and Coastal Access Act 2009 is up to date with all changes known to be in force on or before 18 June 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)

- 237 Enforcement of nature conservation legislation
- 238 Enforcement of fisheries legislation
- 239 Marine enforcement officers as British sea-fishery officers

Other enforcement officers

- 240 Marine licensing: oil and gas and other reserved matters
- 241 Marine licensing: Northern Ireland
- 242 Marine licensing: enforcement in Scottish offshore region
- 243 Enforcement of MCZs in Scottish offshore region

Interpretation

- 244 Interpretation of this Chapter

CHAPTER 2

COMMON ENFORCEMENT POWERS

Introductory

- 245 Common enforcement powers

Entry, search and seizure

- 246 Power to board and inspect vessels and marine installations
- 247 Power to enter and inspect premises
- 248 Power to enter and inspect vehicles
- 249 Dwellings
- 250 Powers of search, examination, etc
- 251 Power to require production of documents, etc
- 252 Powers of seizure, etc
- 253 Further provision about seizure
- 254 Retention of seized items

Miscellaneous and ancillary powers

- 255 Power to record evidence of offences
- 256 Power to require name and address
- 257 Power to require production of licence, etc
- 258 Power to require attendance of certain persons
- 259 Power to direct vessel or marine installation to port
- 260 Assistance etc
- 261 Power to use reasonable force

Interpretation

- 262 Interpretation of this Chapter

CHAPTER 3

LICENSING ENFORCEMENT POWERS

- 263 Power to require information relating to certain substances and objects

Status: Point in time view as at 22/01/2021.

Changes to legislation: Marine and Coastal Access Act 2009 is up to date with all changes known to be in force on or before 18 June 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)

CHAPTER 4

FISHERIES ENFORCEMENT POWERS

Inspection and seizure of objects at sea

- 264 Power to inspect and seize objects at sea
- 265 Reports of inspections under section 264
- 266 Retention of objects seized under section 264(2)
- 267 Disposal of objects seized under section 264

Seizure for purposes of forfeiture

- 268 Power to seize fish for purposes of forfeiture
- 269 Power to seize fishing gear for purposes of forfeiture
- 270 Procedure in relation to seizure under section 268 or 269
- 271 Retention of property seized under section 268 or 269
- 272 Bonds for release of seized fish or gear
- 273 Power of relevant authority to sell seized fish in its possession
- 274 Disposal of property seized under section 268 or 269

Forfeiture

- 275 Forfeiture etc of prohibited items
- 276 Forfeiture etc of fish failing to meet size requirements
- 277 Further provision about forfeiture under section 275 or 276
- 278 Forfeiture by court following conviction

Detention of vessels in connection with court proceedings

- 279 Power to detain vessels in connection with court proceedings
- 280 Release of vessels detained under section 279
- 281 Power of court to order release of vessels
- 282 Bonds for release of vessels
- 283 Power of court to order repayment of bonds

Production of equipment

- 284 Power to require production of certain equipment

Supplementary

- 285 Service of notices, etc
- 286 Conclusion of proceedings
- 287 Interpretation of this Chapter

CHAPTER 5

COMMON ENFORCEMENT PROVISIONS

Introductory

- 288 Meaning of “enforcement officer”

Duties of enforcement officers

- 289 Duty to provide evidence of authority

Status: Point in time view as at 22/01/2021.

Changes to legislation: Marine and Coastal Access Act 2009 is up to date with all changes known to be in force on or before 18 June 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)

290 Duty to state name and purpose, etc

Liability of enforcement officers

291 Liability of enforcement officers etc

Offences in relation to enforcement officers

292 Offences in relation to enforcement officers

CHAPTER 6

MISCELLANEOUS AND SUPPLEMENTARY

Enforcement of Community rules

293 Enforcement of Community rules

Administrative penalty schemes

294 Administrative penalty schemes

Crown application

295 Application to the Crown

PART 9

COASTAL ACCESS

The coastal access duty

296 The coastal access duty

297 General provision about the coastal access duty

298 The coastal access scheme

299 Review of the coastal access scheme

300 The English coast

301 River estuaries

Implementation of the coastal access duty

302 Long-distance routes

303 Access to the coastal margin

304 Establishment and maintenance of the English coastal route etc

Liabilities

305 Restricting liabilities of Natural England and the Secretary of State

306 Occupiers' liability

General

307 Isles of Scilly

308 The Crown

309 Interpretation of this Part

Wales

310 Powers of National Assembly for Wales

Status: Point in time view as at 22/01/2021.

Changes to legislation: Marine and Coastal Access Act 2009 is up to date with all changes known to be in force on or before 18 June 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)

PART 10

MISCELLANEOUS

Natural England

- 311 Area in which functions of Natural England exercisable
- 312 Natural England not to be responder for Civil Contingencies Act 2004

Countryside Council for Wales

- 313 Area in which functions of Countryside Council for Wales exercisable

Works detrimental to navigation

- 314 Works detrimental to navigation

Harbours Act 1964

- 315 Amendments of the Harbours Act 1964

PART 11

SUPPLEMENTARY PROVISIONS

- 316 Regulations and orders
- 317 Directions
- 318 Offences by directors, partners, etc
- 319 Disapplication of requirement for consent to certain prosecutions
- 320 Power to make transitional provisions and savings
- 321 Repeals
- 322 Interpretation
- 323 Extent
- 324 Commencement
- 325 Short title

Schedules

Schedule 1 — The Marine Management Organisation

Status of the MMO

- 1 (1) The MMO is a body corporate.

The chair of the MMO

- 2 A person (the “chair of the MMO”) is to be...

Membership

- 3 (1) The members of the MMO are to be—

The deputy chair of the MMO

- 4 The Secretary of State may appoint one of the ordinary...

Status: Point in time view as at 22/01/2021.

Changes to legislation: Marine and Coastal Access Act 2009 is up to date with all changes known to be in force on or before 18 June 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)

Considerations in making appointments

5 In appointing any person to be the chair of the...

Power to amend the numbers of members specified in paragraph 3(1)

6 (1) The Secretary of State may by order amend paragraph...

Terms of appointment

7 (1) A person appointed as— (a) the chair of the...

Resignation from office

8 A person may, by giving notice to the Secretary of...

Suspension from, or termination of, office

9 (1) The Secretary of State may suspend or terminate the...

Eligibility for re-appointment

10 A person who ceases to hold any of the following...

Members' remuneration and allowances

11 The MMO may pay to its members such remuneration and...

Pensions, allowances and gratuities

12 If required to do so by the Secretary of State,...

Compensation for loss of office

13 If— (a) a person ceases to be a member, and...

Chief executive

14 (1) The MMO must appoint a person to be its...

Chief scientific adviser

15 (1) The MMO must appoint a person to be its...

Other staff

16 (1) The MMO may appoint other employees.

Staff remuneration and allowances

17 (1) The MMO may pay such remuneration and allowances as...

Staff pensions etc

18 (1) The MMO may— (a) pay such pensions, allowances or...

Staff superannuation

19 (1) Employment with the MMO is to be included among...

Status: Point in time view as at 22/01/2021.

Changes to legislation: Marine and Coastal Access Act 2009 is up to date with all changes known to be in force on or before 18 June 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)

Procedure

20 Subject to the following provisions of this Schedule, the MMO...

Delegation of functions

21 (1) The MMO may authorise a committee, sub-committee, member or...

Membership of committees and sub-committees

22 (1) A committee or sub-committee may include persons who are...

Validity of proceedings

23 The validity of anything done by the MMO, or by...

Application of seal and proof of documents

24 (1) The application of the MMO's seal must be authenticated...

Documents served etc by the MMO

25 (1) Any document which the MMO is authorised or required...

Annual report

26 (1) For each financial year, the MMO must prepare an...

Accounts and records

27 (1) The MMO must keep proper accounts and proper records...

Audit

28 (1) This paragraph applies where, in pursuance of paragraph 27,...

Duty to provide information to the Secretary of State

29 (1) The MMO must provide the Secretary of State with—...

Schedule 2 — Minor and consequential amendments relating to the MMO

Public Records Act 1958 (c. 51)

1 In Schedule 1 to the Public Records Act 1958 (definition...

Parliamentary Commissioner Act 1967 (c. 13)

2 In Schedule 2 to the Parliamentary Commissioner Act 1967 (departments...

House of Commons Disqualification Act 1975 (c. 24)

3 In Part 2 of Schedule 1 to the House of...

Race Relations Act 1976 (c. 74)

4 In Part 2 of Schedule 1A to the Race Relations...

Status: Point in time view as at 22/01/2021.

Changes to legislation: Marine and Coastal Access Act 2009 is up to date with all changes known to be in force on or before 18 June 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)

Inheritance Tax Act 1984 (c. 51)

- 5 In Schedule 3 to the Inheritance Tax Act 1984 (gifts...

Freedom of Information Act 2000 (c. 36)

- 6 In Part 6 of Schedule 1 to the Freedom of...

Schedule 3 — Transfer schemes

Introductory

- 1 In this Schedule— “transferor” means the person from whom any...

The property, rights and liabilities that may be transferred

- 2 (1) A scheme may provide for the transfer of any...

Creation and apportionment of property, rights or liabilities

- 3 (1) A scheme may— (a) create for the transferor interests...

Vesting certificates

- 4 A certificate by the Secretary of State that anything specified...

Employment contracts

- 5 (1) This paragraph applies if rights and liabilities under a...

Employee expressing objection to transfer of contract of employment

- 6 (1) Rights and liabilities under a contract of employment are...

Right to terminate contract of employment for substantial detrimental change in conditions

- 7 Nothing in this Schedule affects any right a person has...

Civil servants

- 8 (1) This Schedule applies with the following modifications in relation...

Compensation

- 9 A scheme may contain provision for the payment of compensation...

Validity

- 10 A transfer under this Schedule does not affect the validity...

Continuity

- 11 (1) Anything which— (a) is done by the transferor for...

Documents

- 12 In any document which— (a) relates to anything transferred by...

Status: Point in time view as at 22/01/2021.

Changes to legislation: Marine and Coastal Access Act 2009 is up to date with all changes known to be in force on or before 18 June 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)

Remedies

- 13 As from the date on which a transfer takes effect—...

Interim arrangements

- 14 (1) A scheme may include provision requiring a transferor to...

Retrospective modification of schemes

- 15 (1) If, at any time after a scheme has come...

Incidental, consequential, supplemental or transitional provision or savings

- 16 A scheme may include such incidental, consequential, supplemental or transitional...

Schedule 4 — Exclusive economic zone and Welsh zone: consequential amendments

Part 1 — EXCLUSIVE ECONOMIC ZONE

Continental Shelf Act 1964

- 1 (1) Section 8 of the Continental Shelf Act 1964 (c....

Fishery Limits Act 1976

- 2 (1) Section 1 of the Fishery Limits Act 1976 (c....

Merchant Shipping (Prevention of Pollution) (Law of the Sea Convention) Order 1996

- 3 (1) Article 2 of the Merchant Shipping (Prevention of Pollution)...

Energy Act 2004

- 4 (1) Section 84 of the Energy Act 2004 (c. 20)...

Energy Act 2008

- 5 (1) The Energy Act 2008 (c. 32) is amended as...
Part 2 — WELSH ZONE

Government of Wales Act 2006

- 6 (1) The Government of Wales Act 2006 (c. 32) is...

Schedule 5 — Preparation of an MPS or of amendments of an MPS

Introductory

- 1 Before any policy authorities publish a relevant document, they must...

Interpretation

- 2 (1) In this Schedule— “consultation draft” is to be read...

Consultation in Northern Ireland

- 3 (1) If one of the relevant authorities is the Department...

Status: Point in time view as at 22/01/2021.

Changes to legislation: Marine and Coastal Access Act 2009 is up to date with all changes known to be in force on or before 18 June 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)

Statement of public participation

- 4 (1) The relevant authorities must prepare and publish a statement...

Further provision about the content of an SPP

- 5 (1) An SPP must include a proposed timetable.

Review and revision of an SPP

- 6 (1) The relevant authorities must keep the SPP under review....

Sustainability appraisal

- 7 (1) The relevant authorities must carry out an appraisal of...

Preparation and publication of a consultation draft

- 8 (1) The relevant authorities must prepare and publish a draft...

Representations about the consultation draft

- 9 (1) Any person may make representations about the consultation draft....

The appropriate legislative procedure

- 10 (1) A policy authority must not adopt the final text...

Differences between the consultation draft and the final text

- 11 (1) This paragraph applies if there are any differences between—...

Adoption and publication of the relevant document

- 12 (1) A policy authority adopts the final text by—

Validity of document where policy authority participates in preparation but does not adopt

- 13 (1) If any policy authority— (a) participates to any extent...

Schedule 6 — Marine plans: preparation and adoption

Marine plan authority to notify related planning authorities of decision to prepare plan

- 1 (1) A marine plan authority which decides to prepare a...

Secretary of State to be kept informed of authority's intentions as to certain matters

- 2 (1) This paragraph applies in any case where a marine...

Marine plans to be compatible with certain other marine plans and Planning Act plans

- 3 (1) In preparing or amending a marine plan for a...

Consultation in Northern Ireland

- 4 (1) In the case of a marine plan for a...

Status: Point in time view as at 22/01/2021.

Changes to legislation: Marine and Coastal Access Act 2009 is up to date with all changes known to be in force on or before 18 June 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)

Statement of public participation

- 5 (1) Before preparing a marine plan for any marine plan...

Further provision about the content of an SPP

- 6 (1) An SPP must include a proposed timetable.

Review and revision of the SPP

- 7 (1) The marine plan authority must keep the SPP under...

Advice and assistance

- 8 (1) In connection with the preparation of a marine plan,...

Matters to which a marine plan authority is to have regard in preparing a marine plan

- 9 (1) The matters to which a marine plan authority is...

Sustainability appraisal

- 10 (1) A marine plan authority preparing a marine plan must...

Preparation and publication of a consultation draft

- 11 (1) A marine plan authority preparing a marine plan must...

Representations about the consultation draft

- 12 (1) Any person may make representations about the consultation draft....

Independent investigation

- 13 (1) A marine plan authority which has published a consultation...

Matters to which marine plan authority to have regard in settling text for adoption etc

- 14 A marine plan authority settling the text of a marine...

Adoption and publication of a marine plan

- 15 (1) A marine plan is “adopted” by a marine plan...

Schedule 7 — Further provision about civil sanctions under Part 4

Interpretation

- 1 In this Schedule “civil sanction” means a fixed monetary penalty...

Fixed monetary penalties: other sanctions

- 2 (1) Provision under section 93 must secure that, in a...

Variable monetary penalties: other sanctions

- 3 Provision under section 95 must secure that, in a case...

Status: Point in time view as at 22/01/2021.

Changes to legislation: Marine and Coastal Access Act 2009 is up to date with all changes known to be in force on or before 18 June 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)

Combination of sanctions

- 4 (1) Provision may not be made under section 93 and...

Monetary penalties

- 5 (1) An order under section 93 or 95 which confers...

Costs recovery

- 6 (1) Provision under section 95 may include provision for an...

Appeals

- 7 (1) An order under section 93 or 95 may not...

Consultation

- 8 (1) Before making an order under section 93 or 95,...

Guidance as to use of civil sanctions

- 9 (1) Where power is conferred on an enforcement authority under...

Guidance as to enforcement of offences

- 10 (1) Where power is conferred on an enforcement authority under...

Publication of enforcement action

- 11 (1) Where power is conferred on an enforcement authority under...

Payment of penalties into Consolidated Fund etc

- 12 (1) Where pursuant to any provision made under section 93...

Disclosure of information

- 13 (1) Information held by or on behalf of a person...

Schedule 8 — Licensing: minor and consequential amendments

Part 1 — CONSEQUENTIAL AMENDMENTS

The Coast Protection Act 1949

- 1 (1) The Coast Protection Act 1949 (c. 74) is amended...

The Food and Environment Protection Act 1985

- 2 (1) The Food and Environment Protection Act 1985 (c. 48)...

The Government of Wales Act 2006

- 3 (1) In Schedule 3 to the Government of Wales Act...

The Planning Act 2008

- 4 (1) The Planning Act 2008 (c. 29) is amended as...

Part 2 — OTHER AMENDMENTS

Status: Point in time view as at 22/01/2021.

Changes to legislation: Marine and Coastal Access Act 2009 is up to date with all changes known to be in force on or before 18 June 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)

The Food and Environment Protection Act 1985 Electronic communications apparatus: operations in tidal waters etc

5 In the Food and Environment Protection Act 1985 after section...

Electronic communications: emergency works

6 (1) Section 9 of the Food and Environment Protection Act...

The Petroleum Act 1998 Application of Part 3 in relation to submarine pipelines

7 (1) Section 24 of the Petroleum Act 1998 (c. 17)...

Exception of certain pipelines from being “submarine pipelines” for the purposes of Part 4

8 (1) Section 45 of the Petroleum Act 1998 (interpretation of...

Schedule 9 — Licensing: transitional provision relating to Part 4

Part 1 — INTERPRETATION

1 In this Schedule— “the commencement date” means the date on...

Part 2 — COAST PROTECTION ACT 1949

Consents previously given and outstanding applications

2 (1) Any consent given under subsection (1) of section 34...

Safety requirements

3 The repeal of section 36A of the CPA does not...

Part 3 — FOOD AND ENVIRONMENT PROTECTION ACT 1985

Licences previously issued and outstanding applications

4 (1) Any licence having effect under Part 2 of FEPA...

5 (1) Despite the amendments made by paragraph 2 of Schedule...

Remedial action

6 The amendments made by paragraph 2 of Schedule 8 do...

Register

7 (1) This paragraph applies in any case where—

Channel Islands and British overseas territories

8 (1) In this paragraph “relevant territory” means any of the...

Part 4 — MISCELLANEOUS

Dredging

9 (1) During the relevant transitional period, section 65 does not...

Water Resources Act 1991

10 The amendment made by section 82 of this Act applies...

Status: Point in time view as at 22/01/2021.

Changes to legislation: Marine and Coastal Access Act 2009 is up to date with all changes known to be in force on or before 18 June 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)

Electronic Communications Code: England and Wales

11 (1) In this paragraph— (a) “the Code” means the Electronic...

Electronic Communications Code: Scotland

12 (1) In this paragraph— (a) “the Code” means the Electronic...

Direction under section 58(1)(c) of the Government of Wales Act 2006

13 (1) To the extent that they relate to the abandonment...

Schedule 10 — Further provision about fixed monetary penalties under section 142

Fixed monetary penalties: other sanctions

1 (1) Provision under section 142 must secure that, in a...

Monetary penalties

2 (1) An order under section 142 which confers power on...

Appeals

3 (1) An order under section 142 may not provide for...

Consultation

4 (1) Before making an order under section 142, the appropriate...

Guidance as to use of fixed monetary penalties

5 (1) Where power is conferred on an enforcement authority under...

Guidance as to enforcement of offences

6 (1) Where power is conferred on an enforcement authority under...

Publication of enforcement action

7 (1) Where power is conferred on an enforcement authority under...

Payment of penalties into Consolidated Fund etc

8 (1) Where pursuant to any provision made under section 142...

Disclosure of information

9 (1) Information held by or on behalf of a person...

Schedule 11 — Consequential amendments relating to MCZs

Conservation of Seals Act 1970 (c. 30)

1 In section 10 of the Conservation of Seals Act 1970...

Wildlife and Countryside Act 1981 (c. 69)

2 (1) The Wildlife and Countryside Act 1981 is amended as...

Status: Point in time view as at 22/01/2021.

Changes to legislation: Marine and Coastal Access Act 2009 is up to date with all changes known to be in force on or before 18 June 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)

Water Resources Act 1991 (c. 57)

3 In paragraph 5 of Schedule 25 to the Water Resources...

Conservation (Natural Habitats, &c) Regulations 1994 (S.I. 1994/2716)

4 (1) For regulation 36 of the Conservation (Natural Habitats, &c)...

Schedule 12 — Transitional provision relating to MCZs

- 1 In this Schedule— “the 1981 Act” means the Wildlife and...
2 (1) Any area which, immediately before the commencement date, is...
3 Any byelaw which, immediately before the commencement date, is in...
4 Any provision of this Chapter which— (a) confers any function...

Schedule 13 — Marine boundaries of SSSIs and national nature reserves

Part 1 — INTRODUCTORY

1 In this Schedule “the 1981 Act” means the Wildlife and...

Part 2 — SITES OF SPECIAL SCIENTIFIC INTEREST

Marine boundaries of sites of special scientific interest

- 2 (1) Section 28 of the 1981 Act (sites of special...
3 In section 28A of the 1981 Act (variation of notification...
4 In section 52(1) of the 1981 Act (interpretation of Part...

Notification of additional land that is subtidal

5 (1) Section 28B of the 1981 Act (notification of additional...

Enlargement of SSSI to include subtidal land

6 (1) Section 28C of the 1981 Act (enlargement of SSSI)...

Guidance in relation to subtidal notifications of SSSIs

7 After section 28C of the 1981 Act insert— Guidance in...

Power to call in subtidal notifications of SSSIs

8 After section 28CA of the 1981 Act (inserted by paragraph...

Denotification of SSSI on designation of area as MCZ

9 (1) Section 28D of the 1981 Act (denotification) is amended...

Part 3 — NATIONAL NATURE RESERVES

Marine boundaries of national nature reserves

10 (1) In section 35 of the 1981 Act (national nature...

Power to call in subtidal declarations of national nature reserves

11 After section 35 of the 1981 Act insert— Power to...

Schedule 14 — Inshore fisheries and conservation authorities: amendments

Status: Point in time view as at 22/01/2021.

Changes to legislation: Marine and Coastal Access Act 2009 is up to date with all changes known to be in force on or before 18 June 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)

Coast Protection Act 1949 (c. 74)

- 1 The Coast Protection Act 1949 is amended as follows.
- 2 In section 2 (constitution of coast protection boards)—
- 3 In section 45 (service of notices and other documents), in...
- 4 In section 49(1) (interpretation) after the definition of “functions” insert
—...
- 5 In Part 1 of the First Schedule (general provisions concerning...

Nuclear Installations Act 1965 (c. 57)

- 6 In section 3 of the Nuclear Installations Act 1965 (grant...

Sea Fish (Conservation) Act 1967 (c. 84)

- 7 In section 3 of the Sea Fish (Conservation) Act 1967...

Prevention of Oil Pollution Act 1971 (c. 60)

- 8 In section 19 of the Prevention of Oil Pollution Act...

Local Government Act 1974 (c. 7)

- 9 In section 31A of the Local Government Act 1974 (consideration...

Fisheries Act 1981 (c. 29)

- 10 In Part 1 of Schedule 4 to the Fisheries Act...

Wildlife and Countryside Act 1981 (c. 69)

- 11 In section 27(1) of the Wildlife and Countryside Act 1981...

Local Government and Housing Act 1989 (c. 42)

- 12 The Local Government and Housing Act 1989 is amended as...
- 13 (1) Section 5 (designation and reports of monitoring officer) is...
- 14 In section 13 (voting rights of members of certain committees),...
- 15 In paragraph 2(1) of Schedule 1 (political balance on local...

Radioactive Substances Act 1993 (c. 12)

- 16 The Radioactive Substances Act 1993 is amended as follows.
- 17 In section 47(1) (general interpretation provisions), in the definition of...
- 18 In Schedule 3 (enactments to which section 40 applies), after...

Freedom of Information Act 2000 (c. 36)

- 19 In Part 2 of Schedule 1 to the Freedom of...

Natural Environment and Rural Communities Act 2006 (c. 16)

- 20 In Schedule 7 to the Natural Environment and Rural Communities...

Schedule 15 — Sea Fish (Conservation) Act 1967: minor and consequential amendments

Status: Point in time view as at 22/01/2021.

Changes to legislation: Marine and Coastal Access Act 2009 is up to date with all changes known to be in force on or before 18 June 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)

Sea Fish (Conservation) Act 1967 (c. 84)

- 1 (1) Section 1 (size limits, etc for fish) is amended...
- 2 (1) Section 3 (regulation of nets and other fishing gear)...
- 3 (1) Section 5 (power to restrict fishing for sea fish)...
- 4 In section 11 (penalties for offences), in subsection (3), for...

Fisheries Act 1981 (c. 29)

- 5 (1) Schedule 4 (exemptions for fish farming) is amended as...

Schedule 16 — Migratory and freshwater fish: consequential and supplementary amendments

Salmon and Freshwater Fisheries Act 1975 (c. 51)

- 1 The Salmon and Freshwater Fisheries Act 1975 has effect subject...
- 2 Section 3 (nets) is omitted.
- 3 (1) Section 5 (prohibition of use of explosives etc) is...
- 4 Sections 6 to 8 (fixed engines, fishing weirs and fishing...
- 5 Section 16 (boxes and cribs in weirs and dams) is...
- 6 Section 17 (restrictions on taking salmon or trout above or...
- 7 In section 18 (supplementary provisions), in subsection (4), for “,...
- 8 Sections 19 to 22 (close seasons etc) are omitted.
- 9 (1) Section 25 (licences to fish) is amended as follows....
- 10 (1) Section 26 (limitation of fishing licences) is amended as...
- 11 (1) Section 27 (unlicensed fishing) is amended as follows.
- 12 In section 33 (orders and warrants to enter suspected premises),...
- 13 In section 34 (power to apprehend persons fishing illegally), for...
- 14 (1) In section 41 (interpretation), subsection (1) is amended as...
- 15 Schedule 1 (close seasons and close times) is omitted.
- 16 (1) Schedule 2 (licences) is amended as follows.
- 17 (1) Schedule 4 (offences) is amended as follows.

Fisheries Act 1981 (c. 29)

- 18 (1) In the Fisheries Act 1981, in Part 1 of...

Salmon Act 1986 (c. 62)

- 19 In section 32 of the Salmon Act 1986 (handling salmon...

Water Resources Act 1991 (c. 57)

- 20 The Water Resources Act 1991 has effect subject to the...
- 21 In section 115 (fisheries orders), in subsection (1)—
- 22 In section 116 (power to give effect to international obligations)—...
- 23 (1) Section 212 (compensation in respect of certain fisheries byelaws)...
- 24 (1) In Schedule 25 (byelaw-making powers of the Agency), paragraph...
- 25 In that Schedule, paragraph 7 is omitted.

Environment Act 1995 (c. 25)

- 26 In section 13 of the Environment Act 1995 (regional and...

Schedule 17 — Warrants issued under section 249

Status: Point in time view as at 22/01/2021.

Changes to legislation: Marine and Coastal Access Act 2009 is up to date with all changes known to be in force on or before 18 June 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)

Introductory

- 1 (1) This Schedule has effect in relation to the issue...

Applications for warrants

- 2 (1) Where an enforcement officer applies for a warrant, the...

Safeguards in connection with power of entry conferred by warrant

- 3 A warrant authorises an entry on one occasion only.
4 (1) A warrant must specify— (a) the name of the...
5 (1) Two copies are to be made of a warrant....

Execution of warrants

- 6 (1) A warrant may be executed by any appropriate enforcement...
7 (1) A warrant may authorise persons to accompany any enforcement...
8 (1) Execution of a warrant must be within three months...
9 (1) Where the occupier of a dwelling that is to...

Return of warrants

- 10 (1) A warrant which— (a) has been executed, or
Schedule 18 — Forfeiture of property under section 275 or 276

Application of Schedule

- 1 (1) This Schedule applies where— (a) property seized by an...

Notice of intended forfeiture

- 2 (1) The relevant authority must give notice of the intended...

Notice of claim

- 3 A person claiming that the property is not liable to...
4 (1) A notice of claim must be given—

Automatic forfeiture in a case where no claim is made

- 5 The property is to be taken to have been duly...

Decision whether to take court proceedings to condemn property as forfeited

- 6 (1) Where a notice of claim in respect of the...

Return of property if no forfeiture proceedings

- 7 (1) If, in a case in which a notice of...

Forfeiture proceedings

- 8 (1) This paragraph applies if, in a case in which...

Supplementary provision about forfeiture proceedings

- 9 Proceedings by virtue of this Schedule are civil proceedings and...

Status: Point in time view as at 22/01/2021.

Changes to legislation: Marine and Coastal Access Act 2009 is up to date with all changes known to be in force on or before 18 June 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)

- 10 (1) In proceedings by virtue of this Schedule, the claimant...
 11 (1) In the case of proceedings by virtue of this...
 12 Where an appeal has been made (whether by case stated...

Effect of forfeiture

- 13 Where property is treated or condemned as forfeited under this...

Disposal of property which is not returned

- 14 (1) This paragraph applies where any property is required to...

Provisions as to proof

- 15 In proceedings under this Schedule, the fact, form and manner...
 16 In any proceedings, the condemnation by a court of property...

Special provisions as to certain claimants

- 17 (1) This paragraph applies where, at the time of the...

Power to destroy fish before condemnation, etc

- 18 (1) The relevant authority may destroy any fish liable to...

Saving for owner's rights

- 19 Neither the imposition of a requirement by virtue of this...

Interpretation

- 20 In this Schedule— “the court” is to be read in...

Schedule 19 — Schedule 1A to the National Parks and Access to the Countryside Act 1949

The following is the Schedule to be inserted as Schedule...

Schedule 20 — Establishment and maintenance of the English coastal route etc

Extension of Chapter 3 of Part 1 of the CROW Act

- 1 (1) Chapter 3 of Part 1 of the CROW Act...

Agreements relating to establishment and maintenance of route

- 2 (1) Where, in respect of any land, it appears to...

Establishment and maintenance of route in absence of agreement

- 3 (1) This paragraph applies where— (a) it appears to Natural...

Appeals relating to notices under paragraph 3

- 4 (1) Where a notice under paragraph 3(3) has been given...

Power for Natural England to fund works

- 5 Natural England may meet or contribute towards expenditure incurred or...

Status: Point in time view as at 22/01/2021.

Changes to legislation: Marine and Coastal Access Act 2009 is up to date with all changes known to be in force on or before 18 June 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)

Erection and maintenance of notices and signs

- 6 (1) Natural England may erect and maintain notices or signs...
7 In section 19 of the CROW Act (notices indicating boundaries...

Removal of notices and signs

- 8 (1) Any notice or sign to which this paragraph applies...

Powers of entry

- 9 (1) A person who is authorised by Natural England may...

Interpretation of Schedule

- 10 (1) In this Schedule— “coastal margin” has the same meaning...

Schedule 21 — Amendments of the Harbours Act 1964

- 1 The Harbours Act 1964 (c. 40) is amended as follows....

Provision that may be made by harbour empowerment order

- 2 (1) Section 16 (power to make harbour empowerment orders) is...

Delegation of certain functions under the Act

- 3 (1) After section 42 (accounts and reports) insert— Delegation of...

*Consent of Welsh Ministers or Secretary of State
required for making of certain harbour orders*

- 4 After section 42B (inserted by paragraph 3(1)) insert— Consent of...

Procedure for dealing with applications for harbour orders

- 5 (1) In Schedule 3 (procedure for making harbour revision and...

Procedure where harbour revision orders are made otherwise than on application

- 6 (1) For paragraph 28 of Schedule 3 (inquiry to be...

Application of paragraphs 5 and 6

- 7 The amendments made by paragraphs 5 and 6 apply to...

Schedule 22 — Repeals

- Part 1 — EEZ, UK MARINE AREA AND WELSH ZONE
- Part 2 — MARINE LICENSING
- Part 3 — NATURE CONSERVATION
- Part 4 — MANAGEMENT OF INSHORE FISHERIES
- Part 5 — FISHERIES
- Part 6 — ENFORCEMENT
- Part 7 — COASTAL ACCESS
- Part 8 — MISCELLANEOUS

Status:

Point in time view as at 22/01/2021.

Changes to legislation:

Marine and Coastal Access Act 2009 is up to date with all changes known to be in force on or before 18 June 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.