

Status: Point in time view as at 12/01/2010.

Changes to legislation: *Marine and Coastal Access Act 2009, Paragraph 4 is up to date with all changes known to be in force on or before 29 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 11

CONSEQUENTIAL AMENDMENTS RELATING TO MCZS

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

- 4 (1) For regulation 36 of the Conservation (Natural Habitats, &c) Regulations 1994 (S.I. 1994/2716) (byelaws for protection of European marine sites) substitute—

Protection of European marine sites

- “36 (1) The MMO may make byelaws for the protection of a European marine site in England under section 129 of the Marine and Coastal Access Act 2009 (byelaws for protection of marine conservation zones).
- (2) The Welsh Ministers may make orders for the protection of a European marine site in Wales under section 134 of that Act (orders for protection of marine conservation zones).
- (3) The provisions of Chapter 1 of Part 5 of that Act relating to byelaws under section 129 or orders under section 134 apply, with the modifications described in paragraph (4) of this regulation, in relation to byelaws made by virtue of paragraph (1) of this regulation or (as the case may be) orders made by virtue of paragraph (2) of this regulation.
- (4) The modifications are—
- (a) any reference to an MCZ is to be read as a reference to a European marine site;
 - (b) in sections 129(1) and 134(1), the reference to furthering the conservation objectives of an MCZ is to be read as a reference to protecting a European marine site;
 - (c) the reference in section 129(3)(c) to hindering the conservation objectives stated for an MCZ is to be read as a reference to damaging a European marine site.
- (5) Nothing in byelaws or orders made by virtue of this regulation shall interfere with the exercise of any functions of a relevant authority, any functions conferred by or under an enactment (whenever passed) or any right of any person (whenever vested).”
- (2) The amendment by this paragraph of a provision contained in subordinate legislation is without prejudice to any power to amend that provision by subordinate legislation.

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Commencement Information

- II** [Sch. 11 para. 4](#) partly in force; [Sch. 11 para. 4](#) in force for specified purposes at 12.1.2010 see [s. 324\(2\)\(b\)\(i\)](#)

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