

SCHEDULES

SCHEDULE 4

Sections 41 and 43

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 \(c. 29\)](#) (application of the [Submarine Telegraph Act 1885 \(c. 49\)](#) to pipe-lines and submarine cables) is amended as follows.
 - (2) In subsection (1A) (submarine cables and pipe-lines under waters in an area designated under section 1(7) of the 1964 Act) for “section 1(7) of this Act” substitute “section 41(3) of the Marine and Coastal Access Act 2009 (exclusive economic zone)”.

Fishery Limits Act 1976

- 2 (1) Section 1 of the [Fishery Limits Act 1976 \(c. 86\)](#) (British fishery limits) is amended as follows.
 - (2) For subsection (1) substitute—
 - “(1) Subject to the following provisions of this section, British fishery limits extend to the seaward limits of any area for the time being designated by Order in Council under section 41(3) of the Marine and Coastal Access Act 2009 (exclusive economic zone)”.
 - (3) In consequence of the amendment made by sub-paragraph (2), subsections (3) and (4) of that section cease to have effect.
 - (4) Her Majesty may by Order in Council repeal, substitute or amend section 1 of the [Fishery Limits Act 1976](#) (British fishery limits), in so far as it extends to the Channel Islands or the Isle of Man, to make appropriate provision in consequence of the creation of the exclusive economic zone.
 - (5) An Order in Council under sub-paragraph (4) may—
 - (a) make incidental, consequential, supplementary or transitional provision or savings;
 - (b) make different provision for different cases.

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

- 3 (1) Article 2 of the Merchant Shipping (Prevention of Pollution) (Law of the Sea Convention) Order 1996 ([S.I. 1996/282](#)) (provision that may be made by regulations) is amended as follows.
- (2) In paragraph (2)(g) (power to specify areas of sea in which jurisdiction and rights of the United Kingdom are exercisable) for “above any of the areas for the time being designated under section 1(7) of the Continental Shelf Act 1964” substitute “within any area for the time being designated under section 41(3) of the Marine and Coastal Access Act 2009 (exclusive economic zone)”.
- (3) After paragraph (2)(g), insert—
- “(h) varying the area within which areas may for the time being be specified under paragraph (g) to such area as may be specified or described in the regulations.”.
- (4) 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.

Energy Act 2004

- 4 (1) Section 84 of the [Energy Act 2004 \(c. 20\)](#) (exploitation of areas outside the territorial sea for energy production) is amended as follows.
- (2) For subsection (4) substitute—
- “(4) The area within which the rights to which this section applies are exercisable (the “Renewable Energy Zone”)—
- (a) is any area for the time being designated under section 41(3) of the Marine and Coastal Access Act 2009 (exclusive economic zone), but
- (b) if Her Majesty by Order in Council declares that the Renewable Energy Zone extends to such other area as may be specified in the Order, is the area resulting from the Order.”.

Energy Act 2008

- 5 (1) The Energy Act [2008 \(c. 32\)](#) is amended as follows.
- (2) In section 1 (exploitation of areas outside the territorial sea for gas importation and storage), for subsection (5) substitute—
- “(5) The area within which the rights to which this section applies are exercisable (the “Gas Importation and Storage Zone”)—
- (a) is any area for the time being designated under section 41(3) of the Marine and Coastal Access Act 2009 (exclusive economic zone), but
- (b) if Her Majesty by Order in Council declares that the Gas Importation and Storage Zone extends to such other area as may be specified in the Order, is the area resulting from the Order.”.
- (3) In section 35 (interpretation of Chapter 3), in subsection (1), for the definition of “Gas Importation and Storage Zone” substitute—
- ““Gas Importation and Storage Zone” is to be read in accordance with section 1(5);”.

PART 2

WELSH ZONE

Government of Wales Act 2006

- 6 (1) The [Government of Wales Act 2006 \(c. 32\)](#) is amended as follows.
- (2) In section 37(2) (power of Assembly to call for witnesses and documents) after “Wales” insert “or the Welsh zone”.
- (3) In section 58 (transfer of Ministerial functions)—
- (a) in subsection (1)(a), after “Wales” insert “or the Welsh zone”,
 - (b) in subsection (1)(c), after “Wales” insert “or the Welsh zone”, and
 - (c) after subsection (1) insert—

“(1A) An Order in Council under this section may not make provision about a function of a Minister of the Crown exercisable in relation to the area of the Welsh zone beyond the seaward limit of the territorial sea unless the function is connected with fishing, fisheries or fish health.

(1B) Subsection (1A) does not have effect in relation to an Order in Council to the extent that it contains provision made by virtue of paragraph 4 of Schedule 3 (functions exercisable beyond the territorial sea).”
- (4) In section 59 (implementation of Community law)—
- (a) in subsection (4)(c) for “Wales or a part of Wales” substitute “Wales, the Welsh zone or a part of Wales or the Welsh zone”, and
 - (b) in subsection (7)(c) for “Wales or a part of Wales” substitute “Wales, the Welsh zone or a part of Wales or the Welsh zone”.
- (5) In section 80(2)(b) (Community law) for “the whole or part of Wales” substitute “the whole or part of Wales or of the Welsh zone”.
- (6) In section 82(5)(b) (international obligations) for “the whole or part of Wales” substitute “the whole or part of Wales or of the Welsh zone”.
- (7) In section 155(1)(b) (functions exercisable in relation to Wales) after “Wales” insert “or the Welsh zone”.
- (8) In section 159 (index of defined expressions), insert at the appropriate place—

““Welsh zone”

section 158(1), (3) and (4)”.
