

Status: Point in time view as at 01/10/2011.

Changes to legislation: Marine and Coastal Access Act 2009, Paragraph 10 is up to date with all changes known to be in force on or before 15 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 5

PREPARATION OF AN MPS OR OF AMENDMENTS OF AN MPS

The appropriate legislative procedure

- 10 (1) A policy authority must not adopt the final text unless it has complied with the requirements of this paragraph.
- (2) The policy authority must lay a copy of the consultation draft before the appropriate legislature.
- (3) The appropriate legislature is—
- (a) in the case of the Secretary of State, Parliament;
 - (b) in the case of the Scottish Ministers, the Scottish Parliament;
 - (c) in the case of the Welsh Ministers, the National Assembly for Wales;
 - (d) in the case of the Department of the Environment in Northern Ireland, the Northern Ireland Assembly.
- (4) If during the period allocated to it for legislative scrutiny of the consultation draft—
- (a) an appropriate legislative body makes a resolution with regard to the consultation draft, or
 - (b) an appropriate legislative committee makes recommendations with regard to the consultation draft,
- sub-paragraph (5) applies.
- (5) The policy authority must lay before the appropriate legislature a statement setting out the policy authority's response to the resolution or recommendations.
- (6) The period allocated to an appropriate legislative body or appropriate legislative committee for legislative scrutiny of the consultation draft is such period as the policy authority may specify.
- (7) The policy authority must specify the period allocated for legislative scrutiny of the consultation draft on or before the day on which a copy of that draft is laid before the appropriate legislature under sub-paragraph (2).
- (8) In this paragraph—
- “appropriate legislative body” means—
 - (a) in the case of the Secretary of State, either House of Parliament;
 - (b) in the case of any other policy authority, the appropriate legislature;
 - “appropriate legislative committee” means—
 - (a) in the case of the Secretary of State, a committee of either House of Parliament;
 - (b) in the case of any other policy authority, a committee of the appropriate legislature.

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