



Marine and Coastal Access Act 2009

2009 CHAPTER 23

PART 4

MARINE LICENSING

CHAPTER 2

EXEMPTIONS AND SPECIAL CASES

Exemptions

74 Exemptions specified by order

- (1) The appropriate licensing authority for an area may by order specify, as regards that area, activities—
 - (a) which are not to need a marine licence;
 - (b) which are not to need a marine licence if conditions specified in the order are satisfied.
- (2) The conditions that may be specified in an order under this section include conditions enabling the authority to require a person to obtain the authority's approval before the person does anything for which a licence would be needed but for the order.
- (3) Approval under subsection (2) may be—
 - (a) without conditions;
 - (b) subject to such conditions as the authority considers appropriate.
- (4) In deciding whether to make an order under this section, the appropriate licensing authority must have regard to—
 - (a) the need to protect the environment,
 - (b) the need to protect human health,
 - (c) the need to prevent interference with legitimate uses of the sea,

Changes to legislation: Marine and Coastal Access Act 2009, Section 74 is up to date with all changes known to be in force on or before 25 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) View outstanding changes

and such other matters as the authority thinks relevant.

- (5) A licensing authority must consult such persons as the authority considers appropriate as to any order the authority contemplates making under this section.

Commencement Information

- I1** S. 74 partly in force; s. 74 in force for specified purposes at Royal Assent see s. 324(1)(c)
I2 S. 74 in force at 6.4.2011 in so far as not already in force by S.I. 2011/556, art. 3(2)(a)

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 58(5A) inserted by [2024 asc 3 Sch. 3 para. 10\(2\)](#)
- s. 72A(2A) inserted by [2023 c. 55 s. 232\(2\)\(d\)](#)
- s. 72A(6)(a) words in s. 72A(6) renumbered as s. 72A(6)(a) by [2023 c. 55 s. 232\(2\)\(f\)\(i\)](#)
- s. 72A(6)(a) words inserted by [2023 c. 55 s. 232\(2\)\(f\)\(ii\)](#)
- s. 72A(6)(b) and word inserted by [2023 c. 55 s. 232\(2\)\(f\)\(iii\)](#)
- s. 243A inserted by [2024 asc 3 s. 110](#)
- Sch. 6 para. 1(2)(da) inserted by [2023 c. 55 Sch. 8 para. 31\(2\)\(a\)](#)