

STATUTORY INSTRUMENTS

2010 No. 1627

The Marine Strategy Regulations 2010

[^{F1}PART 6

Powers to make regulations

[^{F1}Power to make provision in relation to ecosystem elements, anthropogenic pressures and human activities, characteristics for setting environmental targets, and monitoring programmes

22.—(1) The Secretary of State may, by regulations, make provision—

- (a) specifying indicative lists of ecosystem elements, anthropogenic pressures and human activities relevant to the marine waters (see Annex 3 to the Directive);
- (b) specifying an indicative list of characteristics to be taken into account for setting environmental targets (see Annex 4 to the Directive);
- (c) specifying requirements for monitoring programmes (see Annex 5 to the Directive).

(2) The provision which may be made under paragraph (1) includes—

- (a) requiring a reference to a relevant Annex to the Directive (or a reference which encompasses that Annex) to be read as a reference to that Annex with modifications;
- (b) amending a provision which corresponds to that made by a relevant Annex.

(3) Regulations under paragraph (1) may amend any subordinate legislation (which, for the purpose of this regulation, has the meaning given by section 20(1) of the European Union (Withdrawal) Act 2018) or retained direct EU legislation.

(4) The Secretary of State may only exercise the power in paragraph (1) to the extent that the Secretary of State considers it appropriate to do so as a result of scientific and technical progress.

(5) When exercising the power in paragraph (1) the Secretary of State must take into account the period for review and updating of the marine strategy (or elements of it) developed in accordance with regulation 5 of these Regulations.

(6) The relevant Annexes to the Directive are—

- (a) Annex 3 (indicative lists of ecosystem elements, anthropogenic pressures and human activities relevant to marine waters);
- (b) Annex 4 (indicative list of characteristics to be taken into account for setting environmental targets);
- (c) Annex 5 (monitoring programmes).]

Textual Amendments

F1 Pt. 6 inserted (31.12.2020) by [The Environment \(Legislative Functions from Directives\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1350\)](#), regs. 1, 23; 2020 c. 1, Sch. 5 para. 1(1)

Changes to legislation:

There are currently no known outstanding effects for the The Marine Strategy Regulations 2010, Section 22.