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STATUTORY INSTRUMENTS

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**2011 No. 625**

**The Conservation of Habitats and  
Species (Amendment) Regulations 2011**

**Marine planning**

9. After regulation 107 insert—

“CHAPTER 9

Marine policy statement and marine plans

**Marine policy statement**

**107A.**—(1) Chapter 8 applies—

- (a) in relation to a marine policy statement under Chapter 1 of Part 3 (marine planning) of the Marine Act as it applies in relation to a land use plan, and
- (b) in relation to a policy authority when exercising powers under Part 3 of that Act as it applies in relation to a plan-making authority,

with the modifications specified in paragraphs (2) and (3).

(2) Any reference in Chapter 8 to giving effect to a land use plan, in relation to a marine policy statement, is to be taken to be a reference to the adoption and publication of a marine policy statement in accordance with Schedule 5 to the Marine Act or any amendment of a marine policy statement under section 47 of that Act.

(3) Where Chapter 8 applies by virtue of paragraph (1)—

- (a) in regulation 102(2), after “the appropriate nature conservation body” insert “and the Joint Nature Conservation Committee”;
- (b) regulations 102(5), 103(4) to (7) and 104 do not apply; and
- (c) in regulation 105, for the reference to the appropriate authority substitute a reference to the policy authority.

(4) In this regulation “policy authority” means the Secretary of State or the Welsh Ministers.

**Marine plan**

**107B.**—(1) Chapter 8 applies—

- (a) in relation to a marine plan as it applies in relation to a land use plan, and
- (b) in relation to a marine plan authority when exercising powers under Part 3 of the Marine Act as it applies in relation to a plan-making authority,

with the modifications specified in paragraphs (2) and (3).

(2) Any reference in Chapter 8 to giving effect to a land use plan, in relation to a marine plan, is to be taken to be a reference to the adoption and publication of a marine plan in

accordance with Schedule 6 to the Marine Act or any amendment of a marine plan under section 52 of that Act.

(3) Where Chapter 8 applies by virtue of paragraph (1), regulations 102(5), 103(4) to (7) and 104 do not apply.

(4) In this regulation—

(a) “marine plan” means a marine plan under Chapter 2 of Part 3 of the Marine Act; and

(b) “marine plan authority” has the meaning given by Part 3 of the Marine Act.”.