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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order delegates the exercise of certain functions of the Welsh Ministers as a licensing authority under the Marine and Coastal Access Act 2009 (c. 23) (“the 2009 Act”) to the Natural Resources Body for Wales.

This Order does not apply to those functions of the licensing authority (mainly relating to the making of subordinate legislation) which are excepted functions and not delegable by virtue of section 98(5)(a) of the 2009 Act (article 2(2)).

Article 3 designates functions of the Welsh Ministers as licensing authority under sections 67A, 72A, 107A and 107B of the 2009 Act.

Article 4 provides that the designated functions are exercisable by or in relation to the Natural Resources Body for Wales acting on behalf of the licensing authority (instead of being exercisable by or in relation to that authority). The licensing authority has the power to give directions to the Natural Resources Body for Wales with respect to the performance of the delegated functions (see section 100 of the 2009 Act, which is an excepted function).

This Order supplements the Marine Licensing (Delegation of Functions) (Wales) Order 2013 (S.I. 2013/414 (W. 50)) and should be read in conjunction with that Order.

The Welsh Ministers’ Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to this Order. As a result, it was not considered necessary to carry out a regulatory impact assessment as to the likely costs and benefits of complying with this Order.