



# Marine and Coastal Access Act 2009

## 2009 CHAPTER 23

### PART 3

#### MARINE PLANNING

#### CHAPTER 1

##### MARINE POLICY STATEMENT

#### 45 Preparation and coming into effect of statement

- (1) An MPS may only be prepared by—
  - (a) all the policy authorities, acting jointly,
  - (b) the Secretary of State and any one or more other policy authorities, acting jointly, or
  - (c) the Secretary of State.
- (2) An MPS must not be prepared by the Secretary of State acting alone under subsection (1)(c) unless the Secretary of State has first invited each of the other policy authorities to participate in the preparation of an MPS.
- (3) A later MPS replaces an earlier MPS, whether or not the later MPS is prepared and adopted by the same policy authorities that prepared and adopted the earlier MPS.
- (4) An MPS comes into effect when it has been published in accordance with Schedule 5.

#### Modifications etc. (not altering text)

- C1** Ss. 45, 46: functions made exercisable jointly with the Welsh Ministers by 2006 c. 32, Sch. 3A para. 4 (as inserted (1.4.2018) by [Wales Act 2017 \(c. 4\)](#), s. 71(4), **Sch. 4 para. 4** (with [Sch. 7 paras. 1, 6](#)); [S.I. 2017/1179](#), reg. 3(p))

---

**Changes to legislation:** Marine and Coastal Access Act 2009, Section 45 is up to date with all changes known to be in force on or before 23 April 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](#)

---

#### **Commencement Information**

- II** S. 45 wholly in force at 12.1.2010; s. 45(4) in force for specified purposes at Royal Assent see s. 324(1)(a)(ii); s. 45 in force in so far as not already in force at 12.1.2010 see s. 324(2)(a)

**Changes to legislation:**

Marine and Coastal Access Act 2009, Section 45 is up to date with all changes known to be in force on or before 23 April 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.

[View outstanding changes](#)

**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. 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\(2\)\(f\)\(iii\)](#)
- Sch. 6 para. 1(2)(da) inserted by [2023 c. 55 Sch. 8 para. 31\(2\)\(a\)](#)