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STATUTORY INSTRUMENTS

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**2010 No. 1627**

**The Marine Strategy Regulations 2010**

**PART 3**

Elements of the marine strategy

**Programme of measures**

14.—(1) By 31st December 2015, the competent authority must publish a programme of measures necessary to achieve or maintain good environmental status for the marine waters in the marine strategy area, in accordance with Article 13.

(2) The competent authority must develop the programme of measures on the basis of the assessment required by regulation 10 taking account of—

- (a) the environmental targets and indicators required by regulation 12;
- (b) the control measures listed in Annex 6; and
- (c) the social and economic impact of any proposed measure.

(3) Any programme of measures must include spatial protection measures, to contribute to coherent and representative networks of marine protected areas, in accordance with Article 13(4).

(4) By 31st December 2013, the competent authority must publish information on marine protected areas.

(5) The competent authority must include in the programme of measures a description of how the measures will be implemented and how they will contribute to the achievement of environmental targets established under regulation 12.

(6) Before the programme of measures comes into operation, the competent authority must—

- (a) satisfy itself that the measures proposed are cost-effective and technically feasible;
- (b) carry out an impact assessment, including a cost-benefit analysis, of any proposed measure; and
- (c) consult on any proposed measure in accordance with regulation 18.

(7) The competent authority must consider the implications of the programme of measures on marine waters beyond the marine strategy area in order—

- (a) to minimise the risk of damage to those waters; and
- (b) if possible, to have a positive impact of those waters.

(8) The competent authority must ensure that the programme of measures is made operational by 31<sup>st</sup> December 2016 or one year after the publication of the programme of measures, whichever is the earlier.

(9) The competent authority must periodically review the programme of measures required by paragraph (1), by each sixth anniversary after the date of its publication, to ensure that the programme of measures is kept up to date.

(10) The Secretary of State may from time to time request a review of all or part of the programme of measures, where those measures affect or are likely to affect retained functions.

(11) A devolved policy authority may from time to time request a review of all or part of the programme of measures, where those measures affect or are likely to affect devolved functions.

(12) Where a request is made to the Secretary of State or the devolved policy authority under paragraph (10) or (11), the Secretary of State or the authority (as the case may be) must comply with it before the next sixth anniversary of the publication of the programme of measures.

(13) Nothing in paragraph (10) or (11) requires a review in response to a request unless the request is reasonable.