

2010 No. 907 (C. 61)

MARINE MANAGEMENT

FISHERIES

**The Marine and Coastal Access Act 2009 (Commencement
No.3) Order 2010**

Made - - - -

20th March 2010

The Secretary of State makes the following Order in exercise of the powers conferred by section 324(3) of the Marine and Coastal Access Act 2009(a).

Citation

1. This Order may be cited as the Marine and Coastal Access Act 2009 (Commencement No.3) Order 2010.

Appointed day – 1st April 2010

2.—(1) The day appointed for the coming into force of the provisions of the Marine and Coastal Access Act 2009 referred to in paragraph (2) is 1st April 2010.

(2) The provisions of that Act are—

- (a) section 4 (transfer to the Marine Management Organisation (“the MMO”) of Secretary of State’s function of granting licences under section 4 of the Sea Fish (Conservation) Act 1967(b) (“the 1967 Act”), etc);
- (b) section 5 (reference to the Minister in section 4AA(5) of the 1967 Act to be read in certain cases as a reference to the MMO);
- (c) section 6 (transfer to the MMO of Secretary of State’s function of granting licences under section 4A of the 1967 Act, etc);
- (d) section 7 (certain references to the Secretary of State in regulations made under section 4B of the 1967 Act to be read in certain cases as references to the MMO, etc);

(a) 2009 c. 23.

(b) 1967 c. 84. Functions of a Minister of the Crown under the Sea Fish (Conservation) Act 1967 (except the functions of the Board of Trade) were, so far as exercisable in relation to Wales, transferred to the National Assembly for Wales (although functions under sections 4, 4A and 15(3) were exercisable concurrently with any Minister of the Crown by whom they are exercisable), and then transferred from that body to the Welsh Ministers: see article 2 of, and Schedule 1 to, S.I. 1999/672 and paragraph 30 of Schedule 11 to the Government of Wales Act 2006 (c. 32). Functions conferred or imposed on a Minister of the Crown by or under the Sea Fish (Conservation) Act 1967 (except the functions of the Board of Trade under section 8), so far as exercisable in relation to the Welsh zone, were transferred to the Welsh Ministers (although functions conferred or imposed by or under sections 4, 4A and 15(3) are exercisable concurrently with any Minister of the Crown by whom they are exercisable): see articles 4 and 5 of the Welsh Zone (Boundaries and Transfer of Functions) Order 2010 (S.I. 2010/760).

- (e) section 8 (transfer to the MMO of the Secretary of State's functions under section 9(1) to (4) of the 1967 Act), so far as not already commenced by section 324 of the Marine and Coastal Access Act 2009.

20th March 2010

Huw Irranca-Davies
Parliamentary Under Secretary of State
Department for Environment, Food and Rural Affairs

EXPLANATORY NOTE

(This note is not part of the Order)

This instrument brings into force sections 4 to 8 of the Marine and Coastal Access Act 2009 (“the 2009 Act”), which relate to the transfer of certain functions of the Secretary of State under the Sea Fish (Conservation) Act 1967 to the Marine Management Organisation. With the commencement of those sections, Part 1 of the 2009 Act (Marine Management Organisation) is fully in force.

A full impact assessment of the effect that the 2009 Act will have on the costs of business and the voluntary sector has been produced, and copies are available from the website of the Department for Environment, Food and Rural Affairs at www.defra.gov.uk. No separate impact assessment has been produced for this instrument.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

The following provisions of the 2009 Act have been brought into force (or will be brought into force) on the date of commencement by commencement order made before the date of this Order:

<i>Provision</i>	<i>Date of Commencement</i>	<i>SI No</i>
ss. 1 to 3, Schs. 1 and 2	12.1.2010	2009/3345 (C. 153)
ss. 9 to 13	1.04.2010	2010/298 (C. 23)
ss. 14 to 22	12.1.2010	2009/3345
s. 23	1.04.2010	2010/298
s. 24	12.1.2010	2009/3345
s. 25	1.04.2010	2010/298
s. 26 to 28	12.1.2010	2009/3345
ss. 29 to 30	1.04.2010	2010/298
ss. 31 to 40, Sch. 3	12.1.2010	2009/3345
ss. 42 to 43	12.1.2010	2009/3345
s. 112, Sch 8 (partially)	1.04.2010	2010/298
s. 187 in relation to Wales	1.04.2010	2010/630 (C. 42)
ss. 194 to 216	12.1.2010	2009/3345
s. 217 (partially)	12.1.2010	2009/3345
(for remaining purposes)	in force 1.1.2011	2010/298
ss. 218 to 219	in force 1.1.2011	2010/298
ss. 220 to 222	12.1.2010	2009/3345
s. 223 (partially)	12.1.2010	2009/3345
(for remaining purposes)	in force 1.1.2011	2010/298
ss. 224 to 232	12.1.2010	2009/3345
s. 233 and Sch. 16 (partially)	12.1.2010	2009/3345
(for remaining purposes)	in force 1.1.2011	2010/298
s. 234	1.04.2010	2010/298
s. 235	12.1.2010	2009/3345
ss. 237 to 239	12.1.2010	2009/3345
ss. 243 to 262, Sch. 17	12.1.2010	2009/3345
ss. 264 to 295, Sch. 18	12.1.2010	2009/3345
ss. 311 to 313	12.1.2010	2009/3345
s. 315, Sch. 21	12.1.2010	2009/3345
s. 321 and Sch. 22 (partially)	12.1.2010	2009/3345
(partially)	1.04.2010, other provisions in force 1.1.2011	2010/298
(partially in relation to Wales)	1.04.2010	2010/630

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STATUTORY INSTRUMENTS

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