
STATUTORY INSTRUMENTS

2011 No. 405

The Marine and Coastal Access Act 2009 (Amendment) Regulations 2011

Amendment of section 75 of the Marine and Coastal Access Act 2009

2.—(1) Section 75 of the Marine and Coastal Access Act 2009⁽¹⁾ (exemptions for certain dredging etc activities) is amended as follows.

(2) In subsection (1)—

(a) the words from “the conditions” to the end become paragraph (a); and

(b) after that paragraph insert—

“, and

(b) where the activity involves the disposal or recovery of waste materials, the additional conditions in subsection (2A) are met”.

(3) After subsection (2) insert—

“(2A) The additional conditions are—

(a) that the activity involves the relocation of sediments inside surface waters,

(b) that the activity is for the purpose of—

(i) managing waters or waterways,

(ii) preventing floods,

(iii) mitigating the effects of floods or droughts, or

(iv) land reclamation, and

(c) that it is proved to the satisfaction of the appropriate licensing authority for the area in which the activity is to be undertaken that the sediments are not hazardous waste.”.

(4) After subsection (4) insert—

“(5) Any expression used in subsection (1)(b) or (2A) and also in Directive [2008/98/EC](#) of the European Parliament and of the Council of 18 November 2008 on waste⁽²⁾ has the same meaning as in that Directive.”.

⁽¹⁾ [2009 c. 23](#).

⁽²⁾ OJ No L 312, 22.11.2008, p3.

Changes to legislation:

There are currently no known outstanding effects for the The Marine and Coastal Access Act 2009 (Amendment) Regulations 2011, Section 2.