Environment (Wales) Act 2016

2016 anaw 3

PART 5 E+W

FISHERIES FOR SHELLFISH

Protection of marine environment

75 Supplementary provision E+W

In the Sea Fisheries (Shellfish) Act 1967, after section 5E (as inserted by section 74) insert—

"**5F Protection of marine environment: supplementary provision**

(1) In sections 5A to 5E of this Act—

"European marine site" has the same meaning as in the Conservation of Habitats and Species Regulations 2010 (S.I. 2010/490) (see regulation 8);

"the grantees", in relation to a right of several fishery, means the persons for the time being entitled to that right;

"harm", in relation to a European marine site, means—

(a) an adverse effect on the integrity of the site,

(b) the deterioration of a relevant natural habitat or of the habitat of a relevant species, or

(c) the disturbance of a relevant species, in so far as the disturbance could be significant in relation to the objectives of the Habitats Directive.

(2) For the purposes of the definition of "harm" in subsection (1)—

a "relevant" natural habitat or species is one for which the site in question has been designated or classified as a European marine site;

"the Habitats Directive" means Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora.

Changes to legislation: *Environment (Wales) Act 2016, Section 75 is up to date with all changes known to be in force on or before 23 September 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*

(3) Sections 5A to 5E of this Act do not apply in relation to an order made under section 1 of this Act before the coming into force of Part 5 of the Environment (Wales) Act 2016.”

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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. 6(10)(d) substituted by S.I. 2024/706 reg. 22(a)
- s. 6(10)(d) substituted by S.I. 2024/706 reg. 22(b)