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*Changes to legislation: There are currently no known outstanding effects for the Marine Act (Northern Ireland) 2013, Cross Heading: Matters to which the Department is to have regard in preparing a marine plan. (See end of Document for details)*

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## Schedules

### Schedule 1

#### Marine plans: preparation and adoption

##### *Matters to which the Department is to have regard in preparing a marine plan*

9.—(1) The matters to which the Department is to have regard in preparing a marine plan include each of the matters in sub-paragraph (2).E+W+S+N.I.

(2) Those matters are—

- (a) the requirement under section 4(5)(a) for a marine plan to be in conformity with any marine policy statement which governs marine planning for the marine plan area, unless relevant considerations indicate otherwise,
- (b) the duties imposed by paragraph 3(1) with respect to securing compatibility with marine plans or development plans for areas which are related to the marine plan area,
- (c) the effect which any proposal for inclusion in the plan is likely to have on any area which is related to the marine plan area,
- (d) the results of the review required by section 7,
- (e) the SPP,
- (f) any representations made in response to the invitation issued under paragraph 5(5),
- (g) any advice received under paragraph 8(1),
- (h) any plan (not falling within paragraph 3(1)) prepared by a public authority in connection with the management or use of the sea or the coast, or of marine or coastal resources, in the marine plan area or in any adjoining or adjacent area in Northern Ireland or the UK marine area (within the meaning given by section 42 of the 2009 Act),
- (i) the powers and duties of the Crown Estate Commissioners under the Crown Estate Act 1961,

and such other matters as the Department considers relevant.

(3) For the purposes of this paragraph, one area is related to another if one or more of the following conditions is met—

- (a) the one area adjoins or is adjacent to the other;
- (b) the one area lies wholly or partly within the other;

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- (c) the whole or any part of the one area affects or is affected by the whole or any part of the other.

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