



## 2013 CHAPTER 10

### Part 3

#### Marine protection

##### *Byelaws*

##### **Emergency byelaws**

**28.—(1)** Where the Department thinks that there is an urgent need to protect an MCZ, byelaws made by it for that purpose have effect without being confirmed by the Secretary of State.

(2) Byelaws that have effect by virtue of this section (“emergency byelaws”)

- (a) come into operation on a date specified in the byelaws, and
  - (b) remain in operation (unless revoked) for such period, not exceeding 12 months, as is specified in the byelaws.
- (3) The Department must publish notice of the making of emergency byelaws.
- (4) The notice under subsection (3) must—
- (a) be published in such manner as the Department thinks is most likely to bring the byelaws to the attention of any persons who are likely to be affected by the making of the byelaws;
  - (b) state that a copy of the byelaws may be inspected at the offices of the Department;
  - (c) state that the Secretary of State has power to revoke the byelaws and that any person affected by the making of the byelaws may make representations to the Secretary of State.

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*Changes to legislation: There are currently no known outstanding effects for the Marine Act (Northern Ireland) 2013, Section 28. (See end of Document for details)*

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- (5) The Secretary of State may revoke emergency byelaws.
- (6) The Department must keep under review the need for emergency byelaws to remain in operation.
- (7) The Department may, by further byelaws, provide that emergency byelaws are to remain in operation for such period beyond that specified under subsection (2)(b) as is specified in the further byelaws.
- (8) The Department may not make byelaws under subsection (7) unless—
  - (a) it intends to make byelaws under section 26 in respect of the MCZ in accordance with section 27 (“the permanent byelaws”), and
  - (b) it has, in respect of the permanent byelaws, complied with section 27(5).
- (9) A period specified under subsection (7) may not exceed 6 months.

**Changes to legislation:**

There are currently no known outstanding effects for the Marine Act (Northern Ireland) 2013, Section 28.