



2013 CHAPTER 10

Part 3

Marine protection

Byelaws

Interim byelaws for MCZ

29.—(1) The Department may make byelaws for the purpose of protecting any feature in an area in Northern Ireland if the Department thinks—

- (a) that there are or may be reasons for the Department to consider whether to designate the area as an MCZ, and
- (b) that there is an urgent need to protect the feature.

(2) In this Part “interim byelaws” means byelaws made under subsection (1).

(3) Interim byelaws must contain a description of the boundaries of the area to which they apply (which must be no greater than is necessary for the purpose of protecting the feature in question).

(4) Subsections (2) to (9) of section 26 apply to interim byelaws as they apply to byelaws made under that section, except that any reference to an MCZ is to be read as a reference to the area to which the interim byelaws apply.

(5) Interim 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.

(6) The Department must publish notice of the making of interim byelaws.

Changes to legislation: There are currently no known outstanding effects for the Marine Act (Northern Ireland) 2013, Section 29. (See end of Document for details)

- (7) The notice under subsection (6) 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.
- (8) The Secretary of State may revoke interim byelaws.
- (9) The Department must keep under review the need for interim byelaws to remain in operation.
- (10) The Department may by further byelaws extend the period for which interim byelaws remain in operation; but interim byelaws may not by virtue of this subsection remain in operation for an aggregate period exceeding 12 months.
- (11) If, while interim byelaws are in operation, the Department gives notice of a proposal to make an order under section 13 designating any part of the area in question as an MCZ, the Department may direct that interim byelaws are to remain in operation—
- (a) until the Department has decided whether to make the order under section 13;
 - (b) if the Department decides to make such an order, until that order comes into effect.
- (12) The Department must publish a direction under subsection (11) in such manner as the Department thinks is most likely to bring the direction to the attention of any persons who are likely to be affected by the making of it.
- (13) In this section “feature” means any flora, fauna, habitat or feature which could be a protected feature if the area in question were designated as an MCZ.

Changes to legislation:

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