
DRAFT STATUTORY INSTRUMENTS

2011 No.

**The Marine Licensing (Licence
Application Appeals) Regulations 2011**

PART 1

Introduction

Citation and commencement

1. These Regulations—
 - (a) may be cited as the Marine Licensing (Licence Application Appeals) Regulations 2011, and
 - (b) come into force on 6th April 2011.

Application

2. These Regulations apply in relation to any area, and any licensable marine activity carried on in that area, for which the Secretary of State is the appropriate licensing authority under section 113 of the Act⁽¹⁾.

Interpretation

3. In these Regulations—
 - “the Act” means the Marine and Coastal Access Act 2009;
 - “the appointed person” means the person appointed under regulation 5;
 - “the Authority” means the person who took the decision under section 71 of the Act that is the subject of the appeal under these Regulations⁽²⁾;
 - “document” includes a map, photograph or report;
 - “the relevant time limits” means the time limits specified in these Regulations or in any direction given or requirement made by the appointed person by virtue of these Regulations, or such later time as is specified by virtue of regulation 25⁽¹⁾;
 - “start date” has the meaning given by regulation 8⁽³⁾;
 - “valid notice of appeal” means a notice of appeal that—
 - (a) complies with regulation 7⁽¹⁾;

⁽¹⁾ By virtue of section 113(2)(a), (4)(a), (6)(a) and (8) of the Marine and Coastal Access Act 2009, the Secretary of State is the appropriate licensing authority as respects anything done in the course of carrying on certain activities in the Scottish offshore region, Wales and the Welsh inshore region, Northern Ireland and the Northern Ireland inshore region, and in relation to any other area not mentioned in subsections (2), (4) or (6). See section 322(1) for definitions of those regions.

⁽²⁾ That person will either be the Secretary of State, as the appropriate licensing authority under section 113(2)(a), (4)(a), (6)(a) and (8) of the Marine and Coastal Access Act 2009, or, where the function under section 71 of that Act is exercisable by a person by virtue of an Order made under section 98(1) of that Act, that person.

- (b) was accompanied by the documents required by regulation 7(2); and
- (c) was received by the Secretary of State within the relevant time limits.