

MARINE AND COASTAL ACCESS ACT 2009

EXPLANATORY NOTES

SUMMARY AND BACKGROUND

Part 10: Miscellaneous

Countryside Council for Wales

Section 313: Area in which functions of Countryside Council for Wales exercisable

806. This section amends Part 7 of the Environmental Protection Act 1990 in order to clarify the area over which the Countryside Council for Wales may exercise its functions. The effect of section 313(2) is to amend the 1990 Act in order to clarify that CCW's functions are, except where otherwise expressly provided, exercisable in relation to Wales only. "Wales" is defined by reference to the definition of "Wales" in the Government of Wales Act 2006. This means that CCW's functions are exercisable in the sea adjacent to Wales up to 12 nautical miles from the baseline.
807. The effect of section 313(3) and the proposed amendment to section 132 of the 1990 Act is that CCW will be able to:
- a) provide advice to the Welsh Ministers on the development and implementation of policies for or affecting nature conservation in Wales and the Welsh zone;
 - b) provide advice and the dissemination of knowledge to any persons about nature conservation in Wales and the Welsh zone, or about matters arising from the discharge of their functions under section 132 or section 134 of the 1990 Act in relation to Wales and the Welsh zone; and
 - c) commission or support (whether by financial means or otherwise) research which in their opinion is relevant to any of their functions under section 132 or section 134 in relation to Wales or the Welsh zone.
808. CCW will also be able to accept any gifts or contributions made to them for these purposes and, subject to the terms of the gift or contribution, to apply it to those purposes. Where it is appropriate for CCW to carry out research themselves instead of commissioning or supporting other people's research under section 132(1)(e), CCW will also be able to initiate and carry out research directly related to those functions. The amendment to section 134 of the 1990 Act means that CCW's functions in relation to the giving of financial assistance and the making of grants are also exercisable in relation to Wales and the Welsh zone.