

SCHEDULE

Article 2

Provisions coming into force on 12th January 2010

Provisions in or relating to Part 1 of the Act (the Marine Management Organisation)

1. Chapter 1 (sections 1 to 3) (establishment) and Schedules 1 and 2 (the Marine Management Organisation; minor and consequential amendments relating to the MMO).

2. Chapter 3 (sections 14 to 22) (agreements involving the MMO for the exercise of functions), so far as not already commenced by section 324 of the Act.

3. Section 24 (research).

4. Sections 26 to 28 and 31 (which deal with certain powers and duties).

5. Sections 32 to 40 (which deal with financial provisions, directions and guidance, and transfer schemes etc) and Schedule 3 (transfer schemes), so far as not already commenced by section 324 of the Act.

Provisions in or relating to Part 2 of the Act (exclusive economic zone, UK marine area and Welsh zone)

6. Section 42 (UK marine area).

7. Section 43 (Welsh zone) and Part 2 of Schedule 4 (which contains consequential amendments relating to the Welsh zone), so far as not already commenced by section 324 of the Act.

Provisions relating to Part 7 of the Act (fisheries)

8. Chapter 1 (sections 194 to 201) (the Sea Fish (Conservation) Act 1967(1)) and Schedule 15 (Sea Fish (Conservation) Act 1967: minor and consequential amendments), so far as not already commenced by section 324 of the Act.

9. Chapter 2 (sections 202 to 214) (the Sea Fisheries (Shellfish) Act 1967(2)), so far as not already commenced by section 324 of the Act.

10. Sections 215 and 216 (prohibited implements; roe etc), so far as not already commenced by section 324 of the Act.

11. Section 217(3) and (4) (omission of certain provisions from section 25 of the Salmon and Freshwater Fisheries Act 1975(3)) and subsection (1) so far as relating to the meaning of “that section” in those subsections.

12. Sections 220 to 222 (enforcement; power to specify fish; order-making powers: supplementary), so far as not already commenced by section 324 of the Act.

13. Section 223(2) and (6) (definitions of “eels” and “smelt”) and subsection (1) so far as relating to those subsections.

14. Sections 224 to 232 (byelaws; supplementary provisions), so far as not already commenced by section 324 of the Act.

15. The following provisions of Schedule 16 (migratory and freshwater fish: consequential and supplementary amendments)—

(a) paragraph 1, so far as relating to the provisions referred to in the following sub-paragraphs,

(1) 1967 c. 84, to which there are amendments not relevant to this Order.

(2) 1967 c. 83, to which there are amendments not relevant to this Order.

(3) 1975 c. 51, to which there are amendments not relevant to this Order.

Status: This is the original version (as it was originally made).

- (b) paragraph 3(3) and sub-paragraph (1) so far as relating to sub-paragraph (3),
- (c) paragraph 8, except for the omission of section 20 of the Salmon and Freshwater Fisheries Act 1975,
- (d) paragraphs 12 and 13,
- (e) paragraph 14(2) and sub-paragraph (1) so far as relating to sub-paragraph (2),
- (f) paragraph 15,
- (g) paragraph 16(2), (3), (5), (6) and (9) and sub-paragraph (1) so far as relating to those sub-paragraphs,
- (h) paragraph 17(2), (4) and (5) and sub-paragraph (1) so far as relating to those sub-paragraphs,
- (i) paragraphs 18 to 26,

and section 233(1) (consequential and supplementary amendments), so far as relating to those provisions.

16. Section 233(2) (which omits obsolete etc provisions from the Salmon and Freshwater Fisheries Act 1975).

Provisions in or relating to Part 8 of the Act (enforcement)

- 17. Section 235 (marine enforcement officers).
- 18. Sections 237 to 239 (enforcement of nature conservation and fisheries legislation; marine enforcement officers as British sea-fishery officers).
- 19. Section 243 (enforcement of MCZs in Scottish offshore region).
- 20. Section 244 (interpretation of Chapter 1).
- 21. Chapter 2 (sections 245 to 262) (common enforcement powers) and Schedule 17 (warrants issued under section 249).
- 22. Chapter 4 (sections 264 to 287) (fisheries enforcement powers) and Schedule 18 (forfeiture of property under section 275 or 276).
- 23. Chapter 5 (sections 288 to 292) (common enforcement provisions).
- 24. Chapter 6 (sections 293 to 295) (miscellaneous and supplementary), so far as not already commenced by section 324 of the Act.

Provisions in or relating to Part 10 of the Act (miscellaneous)

- 25. Sections 311 to 313 (which relate to Natural England and the Countryside Council for Wales).
- 26. Section 315 (amendments of the Harbours Act 1964(4)) and Schedule 21 (amendments of the Harbours Act 1964), so far as not already commenced by section 324 of the Act.

Provisions in or relating to Part 11 of the Act (supplementary provisions)

- 27. The following provisions of Schedule 22 (miscellaneous repeals)—
 - (a) Part 1 (EEZ, UK marine area and Welsh zone), except in relation to the Fishery Limits Act 1976(5);
 - (b) Part 5 (fisheries), except in relation to—

(4) 1964 c. 40, to which there are amendments not relevant to this Order.

(5) 1976 c. 86, to which there are amendments not relevant to this Order.

- (i) sections 3, 6 to 8, 16, 17 and 20 of the Salmon and Freshwater Fisheries Act 1975 (see Table B of that Part),
 - (ii) the Territorial Sea Act 1987⁽⁶⁾ (see Table B of that Part), and
 - (iii) the provisions mentioned in Table C of that Part (repeals relating to Chapter 4 of Part 7 of the Act);
- (c) Part 6 (enforcement);
- (d) Part 8 (miscellaneous),
- and section 321 (repeals), so far as relating to those provisions.

⁽⁶⁾ 1987 c. 49, to which there are amendments not relevant to this Order.