



Wales Act 2017

2017 CHAPTER 4

PART 2

LEGISLATIVE AND EXECUTIVE COMPETENCE: FURTHER PROVISION

Marine licensing and conservation

46 Marine licensing in the Welsh offshore region

- (1) The Marine and Coastal Access Act 2009 is amended as set out in subsections (2) to (5).
- (2) In section 113 (the appropriate licensing authority)—
 - (a) in subsection (4), for “and the Welsh inshore region” substitute “, the Welsh inshore region and the Welsh offshore region”;
 - (b) in subsection (5), after paragraph (b) insert—
 - “(c) in relation to the Welsh offshore region, any activity falling within the subject-matter of Part 6 of the Merchant Shipping Act 1995 (pollution etc).”
- (3) In section 236 (enforcement of marine licensing regime), in subsection (2)—
 - (a) in paragraph (a), for “or the Welsh inshore region” substitute “, the Welsh inshore region or the Welsh offshore region”;
 - (b) after that paragraph insert—
 - “(aa) any activity in the Welsh offshore region falling within the subject-matter of Part 6 of the Merchant Shipping Act 1995 (pollution etc);”.
- (4) In section 240 (marine licensing: oil and gas and other reserved matters), in subsection (1)—
 - (a) in paragraph (b), for “or the Welsh inshore region” substitute “, the Welsh inshore region or the Welsh offshore region”;
 - (b) after that paragraph insert—

Status: This is the original version (as it was originally enacted).

“(ba) any activity in the Welsh offshore region falling within the subject-matter of Part 6 of the Merchant Shipping Act 1995 (pollution etc);”.

- (5) In section 241 (marine licensing: Northern Ireland), in subsection (3)—
- (a) in paragraph (a), for “or the Welsh inshore region” substitute “, the Welsh inshore region or the Welsh offshore region”;
 - (b) after that paragraph insert—
 - “(aa) any activity in the Welsh offshore region falling within the subject-matter of Part 6 of the Merchant Shipping Act 1995 (pollution etc);”.
- (6) The Marine Licensing (Exempted Activities) (Wales) Order 2011 ([S.I. 2011/559 \(W.81\)](#)) is amended as set out in subsection (7) to (9).
- (7) In Article 4 (exemption from need for marine licence), in paragraph (1), for “or the Welsh inshore region” substitute “, the Welsh inshore region or the Welsh offshore region”.
- (8) In Article 32 (bored tunnels), in paragraph (4), for “and the Welsh inshore region” substitute “, the Welsh inshore region and the Welsh offshore region”.
- (9) In Article 34 (loading of a vehicle or vessel etc for incineration outside Wales and the Welsh inshore region)—
- (a) in the heading, for “and the Welsh inshore region” substitute “, the Welsh inshore region and the Welsh offshore region”;
 - (b) in paragraph (1)(b), for “and the Welsh inshore region” substitute “, the Welsh inshore region and the Welsh offshore region”.

47 Marine conservation zones

- (1) Part 5 of the Marine and Coastal Access Act 2009 is amended as follows.
- (2) In section 116 (marine conservation zones)—
- (a) in subsection (5)(a), after “Wales” insert “or the Welsh offshore region”;
 - (b) after subsection (5) insert—

“(5A) The Welsh Ministers may not designate an area as an MCZ without the agreement of the Secretary of State if any part of the proposed MCZ lies in the Welsh offshore region.”
- (3) In section 119 (consultation before designation)—
- (a) in subsection (6), after “Wales” insert “or the Welsh offshore region”;
 - (b) omit subsection (9)(a).
- (4) In section 125 (general duties of public authorities in relation to MCZs), in subsection (11)(a), after “Wales” insert “or the Welsh offshore region”.