
Changes to legislation: Wales Act 2017, Cross Heading: Marine and Coastal Access Act 2009 (c. 23) is up to date with all changes known to be in force on or before 21 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

SCHEDULES

SCHEDULE 6

MINOR AND CONSEQUENTIAL AMENDMENTS

PART 3

OTHER AMENDMENTS

Marine and Coastal Access Act 2009 (c. 23)

- 77 In section 12 of the Marine and Coastal Access Act 2009 (certain consents under section 36 of the Electricity Act 1989), in subsection (3)—
- (a) in paragraph (a) omit ““or””;
 - (b) after paragraph (b) insert—
 - “(c) any area of the Welsh inshore region, or
 - (d) any area of the Welsh offshore region.”

Commencement Information

- I1** Sch. 6 para. 77 in force at 1.4.2019 by S.I. 2017/1179, reg. 5(b)

- 78 In section 13 of that Act (safety zones: functions under section 95 of the Energy Act 2004), in subsection (3)—
- (a) in paragraph (a) omit ““or””;
 - (b) after paragraph (b) insert—
 - “(c) any area of the Welsh inshore region, or
 - (d) any area of the Welsh offshore region.”

Commencement Information

- I2** Sch. 6 para. 78 in force at 1.4.2019 by S.I. 2017/1179, reg. 5(b)

- 79 In section 60 of that Act (meaning of ““retained functions”” etc), in subsection (4), in paragraph (c) of the definition of ““secondary devolved Welsh functions””, for ““relating to matters within”” substitute “ they are capable of being conferred by provision falling within ”.

Commencement Information

- I3** Sch. 6 para. 79 in force at 1.4.2018 by S.I. 2017/1179, reg. 3(r)

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- 80 (1) Section 78 of that Act (special procedure for applications relating to harbour works) is amended as follows.
- (2) In subsection (5), after ““subsection (6)(c) or (d)”” insert “ or (6A)(b) ”.
- (3) In subsection (6), at the beginning insert “ Subject to subsection (6B), ”.
- (4) After that subsection insert—
- “(6A) The Welsh Ministers may by regulations—
- (a) make provision falling within subsection (7) for cases where—
- (i) the Welsh Ministers are both the marine licence authority and the harbour order authority, and
- (ii) they have decided that the two applications are to be considered together and have given notice of that decision to the applicant;
- (b) make provision falling within subsection (7) or (8) for cases where—
- (i) the Welsh Ministers are both the marine licence authority and the harbour order authority, and
- (ii) they have concluded that one of the applications is not going to be made.
- (6B) The Secretary of State may not make provision under this section for cases where the Welsh Ministers are both the marine licence authority and the harbour order authority.”

Commencement Information

I4 Sch. 6 para. 80 in force at 1.4.2018 by S.I. 2017/1179, reg. 3(r)

- 81 (1) Section 79 of that Act (special procedure for applications relating to certain electricity works) is amended as follows.
- (2) In subsection (5), after ““subsection (6)(c) or (d)”” insert “ or (6A)(b) ”.
- (3) In subsection (6), at the beginning insert “ Subject to subsection (6B), ”.
- (4) After that subsection insert—
- “(6A) The Welsh Ministers may by regulations—
- (a) make provision falling within subsection (7) for cases where—
- (i) the Welsh Ministers are both the marine licence authority and the generating station authority, and
- (ii) they have decided that the two applications are to be considered together and have given notice of that decision to the applicant;
- (b) make provision falling within subsection (7) or (8) for cases where—
- (i) the Welsh Ministers are both the marine licence authority and the generating station authority, and
- (ii) they have concluded that one of the applications is not going to be made.

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(6B) The Secretary of State may not make provision under this section for cases where the Welsh Ministers are both the marine licence authority and the generating station authority.”

(5) In subsection (9), in the definition of ““generating station authority””, at the end insert—

“(c) the Welsh Ministers, in any case where the generating station application falls (or would fall) to be determined by the Welsh Ministers;”.

Commencement Information

I5 Sch. 6 para. 81 in force at 1.4.2019 by S.I. 2017/1179, reg. 5(b)

Changes to legislation:

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Changes and effects yet to be applied to :

- specified provision(s) transitional and savings provisions for commencing S.I. 2017/1179 by [S.I. 2018/278](#) [reg. 2](#)[Sch.](#)