
STATUTORY INSTRUMENTS

2018 No. 245

**The Higher Education and Research Act
2017 (Consequential, Transitional, Transitory
and Saving Provisions) Regulations 2018**

Part 6

Provisions relating to NERC

Consultation of NERC in relation to seals

26.—(1) Any consultation with NERC before 1st April 2018 in respect of a provision specified in paragraph (2) and regarding an authorisation given, or a licence to be granted or varied, a designation to be made, or a review to be undertaken (as the case may be), is to have effect from that date as if it were a consultation with UKRI.

(2) The provisions are—

- (a) in the Conservation of Seals Act 1970⁽¹⁾—
 - (i) section 3(1) (order prohibiting the killing, injuring or taking of seals);
 - (ii) section 10(3)(a) (power to grant licences);
 - (iii) section 11(1)(a) (authorisation of a person to enter land to obtain information about seals); or
 - (iv) section 11(1)(b) (authorisation of a person to enter land to kill or take seals);
- (b) paragraph 9(a) of Part 2 of Schedule 5 to the Natural Environment and Rural Communities Act 2006⁽²⁾ (application of enforcement provisions for the purposes of the conservation of seals); or
- (c) in the Marine (Scotland) Act 2010⁽³⁾—
 - (i) section 116(1) (power to grant a seal licence);
 - (ii) section 117 (designation of a haul-out site);
 - (iii) section 118(2) (designation of a seal conservation area);
 - (iv) section 120(1) (authorisation of a person to enter land to obtain information about seals);
 - (v) section 121(1) (authorisation of a person to enter land to kill or take seals); or
 - (vi) section 129(2)(b) (review of seal licensing regime).

(1) 1970 c. 30.
(2) 2006 c. 16.
(3) 2010 asp 5.

Authorisations granted by NERC under the Geological Survey Act 1845

27. Any authorisation or order of NERC under section 1 of the Geological Survey Act 1845(4) before 1st April 2018 is to have effect from that date as an authorisation or order of UKRI.

Appointments by NERC under the Mining Industry Act 1926

28. Any appointment by NERC of an officer under section 23(1), (3) or (5) of the Mining Industry Act 1926(5) before 1st April 2018 is to have effect from that date as an appointment by UKRI.

Mineral Exploration and Investment Grants Act 1972

29. Any geological information supplied to NERC under section 1(3) of the Mineral Exploration and Investment Grants Act 1972(6) before 1st April 2018 is to have effect from that date as if supplied to UKRI.

Water Resources Act 1991

30.—(1) Any notice given, or particulars of any test sent, to NERC under section 198(1) and (2) (b) or, as the case be, section 205(1) of the Water Resources Act 1991(7) before 1st April 2018, is to have effect from that date as given or sent to UKRI.

(2) Any authorisation by NERC of a person under section 198(2)(c) of the Water Resources Act 1991 before 1st April 2018 is to have effect from that date as an authorisation by UKRI.

(3) Any notice given by the NERC under section 205(4) of the Water Resources Act 1991 before 1st April 2018, is to have effect from that date as given by UKRI.

(4) 1845 c. 63.
(5) 1926 c. 28.
(6) 1972 c. 9.
(7) 1991 c. 57.