

MARINE AND COASTAL ACCESS ACT 2009

EXPLANATORY NOTES

SUMMARY AND BACKGROUND

Part 3: Marine Planning

Chapter 4: Implementation and Effect

Monitoring and reporting

Section 61: Monitoring of, and periodical reporting on, implementation

208. *Subsection (1)* sets out in summary the duties imposed on marine plan authorities by this section. First, each marine plan authority is to monitor and report on the effects and effectiveness of its existing plans, and second, it is to report every six years until 2030 on the way it has used, and intends to use, its marine planning powers.
209. *Subsections (2) and (3)* set out the scope of the duty of marine plan authorities to keep the effects, and effectiveness, of marine plans under review. Such reports must also cover any progress towards achieving any objectives set out for that region in the MPS.
210. *Subsections (4) to (8)* require marine plan authorities to report on this review at least every three years after each plan is adopted, and decide after each report whether or not the plan needs to be amended or replaced. Reports under this subsection must be laid before the appropriate legislature.
211. *Subsection (9)* makes clear that “replacing” a plan means preparing and adopting a new plan and withdrawing the existing one.
212. *Subsections (10) to (13)* impose the second reporting duty, requiring marine plan authorities to report at least every six years until 2030 on the marine plans they have prepared, and their intentions as to the amendment of existing plans or preparation of additional plans. Again, these reports must be laid before the appropriate legislature.
213. *Subsection (14)* defines the appropriate legislatures.