
Changes to legislation: Marine and Coastal Access Act 2009, Cross Heading: The Food and Environment Protection Act 1985 is up to date with all changes known to be in force on or before 19 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 8

LICENSING: MINOR AND CONSEQUENTIAL AMENDMENTS

PART 1

CONSEQUENTIAL AMENDMENTS

The Food and Environment Protection Act 1985

- 2 (1) The Food and Environment Protection Act 1985 (c. 48) is amended as follows.
- (2) In section 5 (requirement for licences)—
- (a) in paragraph (a), for “United Kingdom waters or United Kingdom controlled waters” substitute “ the Scottish inshore region ”;
 - (b) omit paragraph (b);
 - (c) in paragraph (e)(i), for “United Kingdom waters or United Kingdom controlled waters” substitute “ the Scottish inshore region ”;
 - (d) omit paragraph (e)(ii) and the preceding “or”;
 - (e) in paragraph (f), for “the United Kingdom or United Kingdom waters” substitute “ Scotland or the Scottish inshore region ”;
 - (f) in paragraph (g), for “the United Kingdom” substitute “ Scotland ”;
 - (g) in paragraph (h), for “the United Kingdom or United Kingdom waters” substitute “ Scotland or the Scottish inshore region ”.
- (3) In section 6(1) (requirements for licences for incineration at sea etc)—
- (a) in paragraph (a)(i), for “United Kingdom waters or United Kingdom controlled waters” substitute “ the Scottish inshore region ”;
 - (b) omit paragraph (a)(ii) and the preceding “or”;
 - (c) in paragraph (b), for “the United Kingdom or United Kingdom waters” substitute “ Scotland or the Scottish inshore region ”.
- (4) In section 7A (exclusion of Part 2 for certain purposes)—
- (a) in subsection (4), for paragraphs (a) and (b) substitute “ the Scottish inshore region. ”;
 - (b) omit subsection (5).
- (5) In section 8 (licences)—
- (a) in subsection (4)(b), for “United Kingdom waters” substitute “ the Scottish inshore region ”;
 - (b) in subsection (6), omit “evidence, and in Scotland”.
- (6) In section 9 (licensing offences)—

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- (a) in subsection (1) (which is expressed to be subject to subsections (3) to (7)) for “to (7)” substitute “, (4)”;
 - (b) omit subsections (5) to (7).
- (7) In section 11 (enforcement powers)—
- (a) in subsection (2)—
 - (i) in paragraph (a), for “the United Kingdom” substitute “Scotland”;
 - (ii) for paragraphs (b) and (c) substitute—
 - “(b) vessels, aircraft, hovercraft and marine structures in Scotland or within the Scottish inshore region,”;
 - (b) in subsection (3), for paragraphs (a) and (b) substitute “any vessel within the Scottish inshore region”.
- (8) In section 21 (offences) omit subsection (8).
- (9) In section 24(1) (interpretation)—
- (a) omit the definition of “adjacent to Scotland”;
 - (b) omit the definition of “Gas Importation and Storage Zone”;
 - (c) in the definition of “licensing authority”—
 - (i) omit paragraph (a);
 - (ii) in paragraph (b)(i), for “United Kingdom waters, or United Kingdom controlled waters, adjacent to Scotland” substitute “waters within the Scottish inshore region”;
 - (iii) in paragraph (b)(ii) and (iii), for “United Kingdom waters, or United Kingdom controlled waters, adjacent to Scotland” in each place where it appears substitute “the Scottish inshore region”;
 - (iv) in paragraph (b)(iii), omit “and the functions of that authority under this sub-paragraph shall be treated as exercisable in or as regards Scotland and may be exercised separately”;
 - (d) after the definition of “plants” insert—
 - ““Scottish inshore region” has the same meaning as in the Marine and Coastal Access Act 2009 (see section 322 of that Act);”;
 - (e) omit the definitions of “United Kingdom waters” and “United Kingdom controlled waters”.

Commencement Information

II Sch. 8 para. 2 in force at 6.4.2011 by S.I. 2011/556, art. 3(2)(a)

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 72A(2A) inserted by [2023 c. 55 s. 232\(2\)\(d\)](#)
- s. 72A(6)(a) words in s. 72A(6) renumbered as s. 72A(6)(a) by [2023 c. 55 s. 232\(2\)\(f\)\(i\)](#)
- s. 72A(6)(a) words inserted by [2023 c. 55 s. 232\(2\)\(f\)\(ii\)](#)
- s. 72A(6)(b) and word inserted by [2023 c. 55 s. 232\(2\)\(f\)\(iii\)](#)
- Sch. 6 para. 1(2)(da) inserted by [2023 c. 55 Sch. 8 para. 31\(2\)\(a\)](#)