



Marine and Coastal Access Act 2009

2009 CHAPTER 23

PART 5

NATURE CONSERVATION

CHAPTER 1

MARINE CONSERVATION ZONES [F¹ AND MANAGEMENT OF SEA FISHERIES]

Duties of public authorities

127 Advice and guidance by conservation bodies

- (1) The appropriate statutory conservation body may give advice and guidance as to—
 - (a) the matters which are capable of damaging or otherwise affecting any protected feature or features;
 - (b) the matters which are capable of affecting any ecological or geomorphological process on which the conservation of any protected feature or features is (wholly or in part) dependent;
 - (c) how any conservation objectives stated for an MCZ may be furthered, or how the achievement of any such objectives may be hindered;
 - (d) how the effect of any activity or activities on an MCZ or MCZs may be mitigated;
 - (e) which activities are, or are not, of equivalent environmental benefit (for the purposes of section 126(7)(c)) to any particular damage to the environment (within the meaning of that provision).
- (2) Advice or guidance may be given—
 - (a) either in relation to a particular MCZ or MCZs or generally;
 - (b) either to a particular public authority or authorities or generally.

Changes to legislation: *Marine and Coastal Access Act 2009, Section 127 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*

- (3) The appropriate statutory conservation body must give advice to a public authority if the authority requests it.
- (4) If the appropriate statutory conservation body for an area proposes to exercise its functions under this section in a manner which may affect an MCZ or MCZs in an area for which another body is the appropriate statutory conservation body, it must consult that other body before doing so.

Modifications etc. (not altering text)

- C1** Pt. 5 Ch. 1 applied (with modifications) by S.I. 1994/2716, reg. 36(3)(4) (as substituted (E.W.) (12.1.2010 for specified purposes, 12.12.2014 in so far as not already in force) by [Marine and Coastal Access Act 2009 \(c. 23\)](#), s. 324(2)(b)(i), **Sch. 11 para. 4(1)**; S.I. 2014/3088, art. 2(b))

Commencement Information

- I1** S. 127 partly in force; s. 127 in force for specified purposes at 12.1.2010 see s. 324(2)(b)(i)
- I2** S. 127 in force at 12.12.2014 in so far as not already in force by [S.I. 2014/3088](#), **art. 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\(2\)\(a\)](#)