

Levelling-up and Regeneration Act 2023

2023 CHAPTER 55

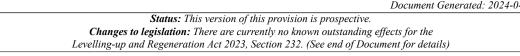
PART 12

MISCELLANEOUS

PROSPECTIVE

232 Marine licensing

- (1) The Marine and Coastal Access Act 2009 is amended in accordance with subsections (2) to (7).
- (2) In section 72A (further fees chargeable where the Welsh Ministers are the appropriate licensing authority)—
 - (a) in the heading, from "Welsh" to the end substitute "appropriate licensing authority is the Secretary of State, the Scottish Ministers or the Welsh Ministers";
 - (b) in subsection (1), for the words from "Welsh" to the end substitute "appropriate licensing authority in relation to a marine licence granted under this Part is the Secretary of State, the Scottish Ministers or the Welsh Ministers.";
 - (c) in subsection (2)(c), insert at the beginning "where the Welsh Ministers are the licensing authority,";
 - (d) after subsection (2) insert—
 - "(2A) Where the licensing authority is the Secretary of State or the Scottish Ministers, the authority may charge a fee for dealing with—
 - (a) a variation of the licence under section 72(3) (whether or not on an application), or
 - (b) a transfer and variation of the licence under section 72(7).";
 - (e) in subsection (4), for "subsection (2)" substitute "subsections (2) and (2A)";
 - (f) in subsection (6)—



- (i) the words from "an application" to "72" become paragraph (a),
- (ii) at the beginning of that paragraph insert "where the Welsh Ministers are the licensing authority,",
- (iii) after that paragraph insert ", or
 - (b) where the licensing authority is the Secretary of State or the Scottish Ministers, an application for a variation of a licence under section 72(3) or a transfer and variation of a licence under section 72(7),";
- (iv) in the closing words, after "licensee" insert "or (as the case may be) other applicant"; and
- (g) in subsection (9), after "licensee" insert "or other applicant".

(3) In section 98 (delegation of functions), in subsection (6)-

- (a) in paragraph (ca), for "Welsh Ministers are the licensing authority" substitute "licensing authority is the Secretary of State, the Scottish Ministers or the Welsh Ministers";
- (b) in paragraph (ha), for "Welsh Ministers are the licensing authority" substitute "licensing authority is the Secretary of State, the Scottish Ministers or the Welsh Ministers";
- (c) in paragraph (hb), for "Welsh Ministers are the licensing authority" substitute "licensing authority is the Secretary of State, the Scottish Ministers or the Welsh Ministers".

(4) In section 107A (deposits on account of fees payable)-

- (a) in the heading, after "the" insert "Secretary of State, the Scottish Ministers or the";
- (b) in subsection (1), from "Welsh" to the end substitute "appropriate licensing authority is the Secretary of State, the Scottish Ministers or the Welsh Ministers."
- (5) In section 107B (supplementary provision about fees)-
 - (a) in the heading, after "the" insert "Secretary of State, the Scottish Ministers or the";
 - (b) in subsection (1), from "Welsh" to the end substitute "appropriate licensing authority is the Secretary of State, the Scottish Ministers or the Welsh Ministers."
- (6) In section 108 (appeals against notices), in subsection (2A), at the beginning insert "The Secretary of State, the Scottish Ministers or".
- (7) In section 110A (fees: oil and gas activities for which marine licence needed), in subsection (4)—
 - (a) after "67," insert "72(3), 72(7) or 72A(2)(a) or (b),";
 - (b) after "67(2)" insert "or 72A(4)";
 - (c) after "67(5)" insert "or 72A(6)".
- (8) The amendments made to the Marine and Coastal Access Act 2009 by sections 77 to 80 of the Environment (Wales) Act 2016 (anaw 3) extend to Scotland and Northern Ireland (as well as England and Wales).
- (9) The Public Bodies (Marine Management Organisation) (Fees) Order 2014 (S.I. 2014/2555) is revoked.

Status: This version of this provision is prospective. Changes to legislation: There are currently no known outstanding effects for the Levelling-up and Regeneration Act 2023, Section 232. (See end of Document for details)

Commencement Information

II S. 232 not in force at Royal Assent, see s. 255(9)(a)

Status:

This version of this provision is prospective.

Changes to legislation:

There are currently no known outstanding effects for the Levelling-up and Regeneration Act 2023, Section 232.