



GREENPEACE



Marine Conservation Society



February 2009

Parliamentary Briefing

Marine and Coastal Access Bill Amendment

Amendments to the legislation for Several and Regulating Orders

The organisations listed above are all members of Wildlife and Countryside Link's Marine Task Force¹, which has been campaigning for several years for improvements in marine conservation and better management of the marine area. We have been closely engaged in the Marine & Coastal Access Bill process from the outset.

Background

The 1967 (Shellfish) Act has also always provided that the grantor, Government, could rescind the grant if it was being misused. The intent was that if the right of severalty or the right to regulate a fishery was given to somebody who went on to allow the fishery to fall into disuse or poor condition the grant could be rescinded and the right given to another person.

Link wishes to see the power to rescind a several or regulating order extended to circumstances where the exercise of the rights conferred is harmful to the marine environment, and a new clause covering this is shown below.

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¹ Wildlife and Countryside Link is a coalition of the UK's major environmental organisations working together for the conservation and protection of wildlife, the countryside and the marine environment.

Annex – Amendments

Marine & Coastal Access Bill

House of Lords Committee Stage, February 2009

Clause	New clause – Cesser of right
Amendment	<p>Page 113</p> <p>Insert new clause below clause 199, as follows:</p> <p>‘200 Cesser of right</p> <p>Section 5 of the Sea Fisheries (Shellfish) Act 1967 (cesser of right conferred by order under s.1) is amended as follows:</p> <p>(1) in subsection (1) insert “or if the appropriate Minister is satisfied that the effect of such order is detrimental to the conservation and enhancement of marine flora and fauna” between “royalties imposed thereby” and “he may make a certificate”</p>