



GREENPEACE



Marine
Conservation
Society



February 2009

Parliamentary Briefing

Marine and Coastal Access Bill Amendment

Purposes for which tolls may be applied (Clause 194)

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 always provided that the grantee of a regulating order can raise revenue by charging others to take shellfish, albeit that such revenue had to be used in the improvement and cultivation of the fishery. Clause 194 of the Marine and Coastal Access Bill seeks to change this to allowing use of the revenue for "purposes relating to the regulation of" – a change that Link endorses.

However, it would be helpful if the term "regulation" were expressly defined to include (but not be limited to) regulation for the benefit of conservation. This would allow the tolls gathered by the grantee to be used for conservation purposes. An amendment to this effect is set out in the Annex below.

We have also included a definition of "marine flora and fauna" for clarity.

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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	Clause 194 Purposes for which tolls etc. may be applied
Amendment	<p>Page 112, line 21: Insert new subclause</p> <p>'(6) Section 22(2) of the Sea Fisheries (Shellfish) Act 1967 (c.83) (interpretation) is amended by the insertion of the following definitions:</p> <p>“marine flora and fauna” includes flora and fauna (including birds) which are dependent on, or associated with a marine or coastal environment for part or all of their lives or whilst migrating;</p> <p>“regulation” includes regulation for the purposes of the conservation and recovery of marine flora and fauna'</p>