

2013 No. 2006 (W. 197) (C. 85)

FISHERY HARBOURS, WALES

**The Marine Navigation Act 2013
(Commencement) (Wales) Order
2013**

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force sections 5 and 6 of the Marine Navigation Act 2013 (c.23) (“the 2013 Act”) in relation to fishery harbours in Wales.

Section 5 of the 2013 Act inserts new sections 40A to 40D into the Harbours Act 1964 (c.40) (“the 1964 Act”). Section 40A of the 1964 Act enables a designated harbour authority to make harbour directions. Section 40B of the 1964 Act specifies the procedure which applies in connection with the making of harbour directions. Section 40C of the 1964 Act provides for enforcement of harbour directions and section 40D of the 1964 Act makes supplemental provisions in connection with harbour directions.

Section 6 of the 2013 Act inserts new sections 17A to 17F into the 1964 Act. Section 17A of the 1964 Act enables the Secretary of State to make a harbour closure order. Section 17B makes provision regarding the content of harbour closure orders and section 17C provides that harbour closure orders may transfer the property, rights and liabilities of the relevant harbour authority. Section 17D specifies the procedure which applies in connection with the making of closure orders. Section 17E deals with devolution and provides that in relation to fishery harbours in Wales the power to make harbour closure orders rests with the Welsh Ministers. Section 17F of the 1964 Act makes supplemental provisions in connection with harbour closure orders.

**NOTE AS TO EARLIER COMMENCEMENT
ORDERS**

(This note is not part of the Order)

The following provisions of the Marine Navigation Act 2013 have been or will be brought into force, to the extent provided below, on the specified Dates of Commencement, by the Marine Navigation Act 2013 (Commencement) Order 2013 (S.I. 2013/1489 (C. 59)).

<i>Provision</i>	<i>Date of Commencement</i>
sections 1 to 4 (in relation to England and Wales)	1 October 2013
sections 5 and 6 (in relation to England and Wales otherwise than in relation to fishery harbours in Wales)	1 October 2013
section 7 (in relation to England and Wales)	26 June 2013
sections 8 to 11 (in relation to England, Wales, Scotland and Northern Ireland)	26 June 2013

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(Commencement) (Wales) Order
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Made

11 August 2013

The Welsh Ministers make the following Order in exercise of the powers conferred by section 13(2) and (4) of the Marine Navigation Act 2013⁽¹⁾.

Title and interpretation

1.—(1) The title of this Order is the Marine Navigation Act 2013 (Commencement) (Wales) Order 2013.

(2) In this Order “the Act” (“*y Ddeddf*”) means the Marine Navigation Act 2013.

Appointed day

2. 1 October 2013 is the appointed day for the coming into force of sections 5 and 6 of the Act in relation to fishery harbours in Wales.

Alun Davies

Minister for Natural Resources and Food, one of the
Welsh Ministers

11 August 2013

⁽¹⁾ 2013 c.23.