

SECOND SUPPLEMENT TO THE GIBRALTAR GAZETTE

No. 4103 of 7th August, 2014

LEGAL NOTICE NO. 149 OF 2014.

ENVIRONMENT ACT 2005

MARINE STRATEGY (AMENDMENT) REGULATIONS 2014

In exercise of the powers conferred upon it by section 18(c) of the Environment Act 2005 and all other enabling powers, and for the purposes of further transposing into the law of Gibraltar Directive 2008/56/EC of the European Parliament and of the Council of 17 June 2008 establishing a framework for Community action in the field of marine environmental policy, the Government has made the following Regulations—

Title and commencement.

1. These Regulations may be cited as the Marine Strategy (Amendment) Regulations 2014 and come into operation on the day of publication.

Amendment of regulation 2.

2. Regulation 2(1) of the Marine Strategy Regulations 2011 (the principal Regulations) is amended by inserting the following definition after the definition of “public authority”—

““Regional Sea Convention” means any of the international conventions or international agreements together with their governing bodies established for the purpose of protecting the marine environment of the marine regions referred to in Article 4 of the Directive, such as the Convention on the Protection of the Marine Environment of the Baltic Sea, the Convention for the Protection of the Marine Environment of the North-east Atlantic and the Convention for the Marine Environment and the Coastal Region of the Mediterranean Sea;”.

Amendment of regulation 5(1).

3. Regulation 5(1) of the principal Regulations is amended by inserting “ in accordance with the plan of action set out in regulations 6(1), 7(1), 8(1), 9(1) and 10(1)” after “for the marine strategy area”.

Amendments of regulation 10.

4.(1) Regulation 10 of the principal Regulations is amended—

- (a) in subregulation (4), by substituting “under any applicable EU provision, any other applicable international obligation” for under EU”.
- (b) by inserting the following subregulation after subregulation (3)—
 - “(3A) Where it is considered that the management of human activity at European Union or international level is likely to have a significant impact on the marine environment, particularly in the areas addressed in subregulation (3), the competent authority shall individually or jointly with the competent authority of any Member State or international organisation, address the competent authority or international organisation concerned with a view to the possible consideration or adoption of measures that may be necessary in order to achieve the objectives of the Directive so as to enable the integrity, structure and functioning of ecosystems to be maintained or, where appropriate, restored.”.
- (c) in subregulation (5), by inserting “and (3A)” after “subregulation (3)”.

Amendments of regulation 15.

5. Regulation 15 of the principal Regulations is amended—

- (a) by inserting the following subregulation after subregulation (1)—
 - “(1A) The competent authority must publish, and make available to the public for comment, summaries of the following elements of its marine strategy, or the related updates, as follows—

- (a) the initial assessment and the determination of good environmental status, as provided for in regulations 6(1) and 7(1) respectively;
 - (b) the environmental targets established pursuant to regulation 8(1);
 - (c) the monitoring programmes established pursuant to regulation 9(1);
 - (d) the programmes of measures established pursuant to regulation 10(1); and
- (b) by substituting “mentioned in subregulation (1A)” for “mentioned in subregulation (1)” in subregulation (2)(a).

Dated 7th August, 2014.

DR J CORTES,
Minister with responsibility for the environment.

EXPLANATORY MEMORANDUM

These Regulations further transpose Directive 2008/56/EC of the European Parliament and of the Council of 17 June 2008 establishing a framework for Community action in the field of marine environmental policy.

