

*These notes relate to the Marine (Scotland) Act 2010
(asp 5) which received Royal Assent on 10 March 2010*

MARINE (SCOTLAND) ACT 2010

EXPLANATORY NOTES

THE ACT

Part 4 – Marine Licensing

Licences

Section 27 - Determination of applications

40. [Section 27](#) indicates that the Scottish Ministers must have regard to the need to protect the environment or human health or prevent interference with legitimate uses of the sea and to any other matters which they consider relevant when determining an application. [Section 27\(2\)](#) indicates that the Scottish Ministers must have regard to any alternative method of dealing with the substance or object where the activity to be licensed is one detailed in [section 21\(1\)](#) (item 1 and 2). The Scottish Ministers must consult any persons or bodies as specified by order and may consult any other person or body who they consider appropriate. They must also take into account comments received from interested parties. [Section 27\(5\)](#) indicates that the Scottish Ministers must allow the applicant the opportunity to make representations regarding any of the comments received from interested parties.
41. [Section 27\(7\)](#) allows the Scottish Ministers to set out further details in regulations concerning the procedure for applications and the grant of licences. This may include the time period within which any function is to be exercised and provision about notifying the applicant of any licensing determination.