

*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 5 – Marine Protection and Enhancement: the Scottish Marine Protection Area

Authorisation of things prohibited, regulated etc. by marine conservation orders

Section 92 - Authorisation of things prohibited, regulated etc. by a marine conservation order

147. **Section 92** sets out mechanisms for authorisation of things prohibited, regulated etc. by a marine conservation order. Under section 92(1), Scottish Ministers may issue a permit and under section 92(2) they may attach any condition to the permit that they consider appropriate. In the case of Historic MPAs, section 92(3) allows for an MCO applying to a Historic MPA to provide that the Scottish Ministers can authorise by direction the carrying out of certain activities or operations that would otherwise be unlawful and to attach any conditions they consider appropriate.