



# Marine (Scotland) Act 2010

## 2010 asp 5

### PART 5

#### MARINE PROTECTION AND ENHANCEMENT: THE SCOTTISH MARINE PROTECTION AREA

##### *Historic MPAs*

#### **73 Historic MPAs: additional requirements etc.**

- (1) An area may be designated by a designation order as a Historic MPA if the Scottish Ministers consider it desirable to do so for the purpose of preserving a marine historic asset of national importance which is, or which they are satisfied may be, located in the area.
- (2) The order must—
  - (a) specify any marine historic asset located, or which the Scottish Ministers are satisfied may be located, within the area,
  - (b) state the preservation objectives for the asset and the area,
  - (c) identify the area's boundaries.
- (3) For the purpose of subsection (2)(c), an order may provide for the boundary to be determined by, or by reference to, mean high water spring tide.
- (4) A Historic MPA may include (in addition to an area of sea referred to in section 67(1)) an area of seashore lying above mean high water spring tide if the area of seashore adjoins the area of sea.
- (5) For the purposes of this Part, a marine historic asset is any of the following—
  - (a) a vessel, vehicle or aircraft (or a part of a vessel, vehicle or aircraft),
  - (b) the remains of a vessel, vehicle or aircraft (or a part of such remains),
  - (c) an object contained in, or formerly contained in, a vessel, vehicle or aircraft,
  - (d) a building or other structure (or a part of a building or structure),
  - (e) a cave or excavation,
  - (f) a deposit or artefact (whether or not formerly part of a cargo of a ship) or any other thing which evidences, or groups of things which evidence, previous human activity.

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**Changes to legislation:** There are currently no known outstanding effects for the Marine (Scotland) Act 2010, Cross Heading: Historic MPAs. (See end of Document for details)

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**Commencement Information**

**II** [S. 73](#) in force at 1.7.2010 by [S.S.I. 2010/230](#), **art. 2(b)**

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Heading: Historic MPAs.