



# Marine (Scotland) Act 2010

## 2010 asp 5

### PART 6

#### CONSERVATION OF SEALS

##### *Seal conservation areas*

#### **118 Seal conservation areas**

- (1) The Scottish Ministers may designate an area as a “seal conservation area” where they consider it necessary to do so in order to ensure the proper conservation of seals.
- (2) The Scottish Ministers must consult [F1United Kingdom Research and Innovation] before designating a seal conservation area.
- (3) The Scottish Ministers must—
  - (a) publish a designation in a manner which they consider most likely to bring the proposal to the attention of persons likely to be affected by it,
  - (b) make a copy of a designation available for inspection at one of their offices at all reasonable hours, and
  - (c) provide a copy of a designation to any person who requests one.
- (4) The Scottish Ministers may charge a fee, not exceeding their expenses, for providing a copy under subsection (3)(c).

#### **Textual Amendments**

- F1** Words in s. 118(2) substituted (1.4.2018) by [Higher Education and Research Act 2017 \(c. 29\)](#), s. 124(5), [Sch. 12 para. 25](#); S.I. 2018/241, [reg. 2\(t\)](#) (with transitional and savings provisions in S.I. 2018/245, regs. 2, 3, 26)

#### **Commencement Information**

- I1** S. 118 in force at 31.1.2011 by [S.S.I. 2010/230](#), [art. 4\(c\)](#)

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

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## **119 Effect of seal conservation area status: licensing decisions**

The Scottish Ministers must not grant a seal licence authorising the killing or taking of seals in a seal conservation area unless they are satisfied—

- (a) that there is no satisfactory alternative way of achieving the purpose for which the licence is granted, and
- (b) that the killing or taking authorised by the licence will not be detrimental to the maintenance of the population of any species of seal at a favourable conservation status in their natural range (within the meaning of Article 1(e) of the Habitats Directive).

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### **Commencement Information**

**I2** S. 119 in force at 31.1.2011 by [S.S.I. 2010/230](#), [art. 4\(c\)](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Marine (Scotland) Act 2010, Cross  
Heading: Seal conservation areas.