



# Marine (Scotland) Act 2010

## 2010 asp 5

### PART 8

#### SEA FISHERIES

#### 161 Further modifications relating to Sea Fisheries (Shellfish) Act 1967

- (1) The modifications to the Sea Fisheries (Shellfish) Act 1967 (c.83) (“the 1967 Act”) made by the following provisions of the 2009 Act extend to Scotland—
  - (a) section 204 (purposes for which tolls from regulated fisheries may be applied),
  - (b) section 206 (liability of master, etc where vessel used in commission of offence),
  - (c) section 207 (restrictions imposed by grantees in relation to regulated fisheries),
  - (d) section 209 (register of licences in relation to regulated fisheries),
  - (e) section 210 (protection of private shellfish beds),
  - (f) section 211(1) and (3) (use of implements of fishing),
  - (g) section 214 (power to appoint inspector before making orders as to fisheries for shellfish),
  - (h) Part 5(A) of Schedule 22 (repeals).
- (2) In section 1 of the 1967 Act (power to make orders as to fisheries for shellfish), after subsection (14) insert—

“(14A) Subsection (14) above has effect in relation to Scotland as if the reference to the Town and Country Planning Act 1990 were a reference to section 26 of the Town and Country Planning (Scotland) Act 1997 (c.8).”.
- (3) In section 7 of the 1967 Act (protection of fisheries), in subsection (4), for “level 3 on the standard scale” substitute “£50,000”.
- (4) The modifications to the 1967 Act made by section 214 (power to appoint inspector before making orders as to fisheries for shellfish) of the 2009 Act, other than those made by subsection (2)(b), extend to Scotland.
- (5) In paragraph 4(2) of Schedule 1 to the 1967 Act (provisions with respect to making orders as to fisheries for shellfish), for “The appropriate Minister shall” substitute “The

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*Status: This is the original version (as it was originally enacted).*

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Scottish Ministers may, and in the case of receiving an objection raising a material concern under paragraph 3 above, must”.