



# Marine (Scotland) Act 2010

## 2010 asp 5

### PART 3

#### MARINE PLANNING

##### *Validity of marine plans*

#### **17 Validity of national marine plans and regional marine plans**

- (1) A relevant document must not be questioned in any legal proceedings, except in so far as is provided by this section.
- (2) A person aggrieved by a relevant document may make an application to the Court of Session on any of the following grounds—
  - (a) that the document is not within the appropriate powers,
  - (b) that a procedural requirement has not been complied with.
- (3) Any such application must be made not later than 6 weeks after the publication of the relevant document.
- (4) In this section and section 18—
  - (a) “the appropriate powers” means in the case of a national marine plan, a regional marine plan or an amendment of any such plan, the powers conferred on the Scottish Ministers by sections 5 to 12,
  - (b) “procedural requirement” means any requirement—
    - (i) under the appropriate powers, or
    - (ii) in directions under section 12 or 14,which relates to the preparation, adoption or publication of a relevant document,
  - (c) “relevant document” means—
    - (i) a national marine plan,
    - (ii) an amendment of a national marine plan,
    - (iii) a regional marine plan,
    - (iv) an amendment of a regional marine plan.