



# Marine (Scotland) Act 2010

## 2010 asp 5

### PART 4

#### MARINE LICENSING

##### *Exemptions from licensing requirements*

#### **32 Exemptions specified by order**

- (1) The Scottish Ministers may by order specify activities which—
  - (a) are not to need a marine licence,
  - (b) are not to need a marine licence if conditions specified in the order are satisfied.
- (2) The conditions that may be specified in an order under subsection (1) include conditions enabling the Scottish Ministers to require a person to obtain their approval before the person does anything for which a licence would be needed but for the order.
- (3) Approval under subsection (2) may be either—
  - (a) without conditions, or
  - (b) subject to such conditions as the Scottish Ministers consider appropriate.
- (4) In deciding whether to make an order under subsection (1), the Scottish Ministers must have regard to—
  - (a) the need to protect the environment,
  - (b) the need to protect human health,
  - (c) the need to prevent interference with legitimate uses of the sea,
  - (d) such other matters as the Ministers consider relevant.
- (5) The Scottish Ministers must consult such persons as they consider appropriate as to any order the Ministers propose to make under subsection (1).

#### **Commencement Information**

**II** S. 32 in force at 6.4.2011 by [S.S.I. 2011/58](#), [art. 3\(a\)](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Marine (Scotland) Act 2010, Section 32.