



Marine (Scotland) Act 2010

2010 asp 5

PART 4

MARINE LICENSING

Special provision for certain cases

35 Special procedure for applications relating to certain electricity works

- (1) This section applies where—
- (a) a person who proposes to carry out an activity must first make both—
 - (i) an application for a marine licence, and
 - (ii) an application for consent under section 36 of the Electricity Act (consent for construction etc. of generating stations) (a “generating station application”) in relation to the activity or other works to be undertaken in connection with the activity,
 - (b) the person makes both applications, or one of them, and
 - (c) the Scottish Ministers—
 - (i) decide that both applications are to be considered together and, as the case may be, if only one of the applications has been made that it is not to be considered without the other, and
 - (ii) give the person notice of their decision.
- (2) Both of the applications are to be considered together; but this is subject to any provision that may be made in an order under subsection (3).
- (3) The Scottish Ministers may by order do any of the following—
- (a) provide that such procedural provisions of this Part as are specified in the order are not to apply to the person’s application for the marine licence,
 - (b) provide that such procedural provisions of the Electricity Act as are so specified are to apply to the application instead,
 - (c) modify the procedural provisions of the Electricity Act in their application to the marine licence by virtue of paragraph (b),
 - (d) in relation to cases where the Scottish Ministers come to the conclusion that either the application for the marine licence or the generating station

Status: This is the original version (as it was originally enacted).

application is not going to be made, make additional provision modifying either—

- (i) such procedural provisions of this Part as are specified in the order, or
- (ii) such procedural provisions of the Electricity Act as are specified in the order.

(4) In this section—

“the Electricity Act” means the Electricity Act 1989 (c.29),

“procedural provisions” means any provisions for or in connection with the procedure for determining an application.