



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).