



# Marine (Scotland) Act 2010

## 2010 asp 5

### PART 3

#### MARINE PLANNING

##### *Marine plans*

#### **5 National marine plan and regional marine plans**

- (1) The Scottish Ministers must prepare and adopt in accordance with schedule 1 a national marine plan for the Scottish marine area.
- (2) The Scottish Ministers may prepare and adopt in accordance with that schedule a regional marine plan for any Scottish marine region (see subsection (5)).
- (3) A national marine plan or (as the case may be) a regional marine plan is a document which—
  - (a) states the Scottish Ministers' policies (however expressed) for and in connection with the sustainable development of the area to which the plan applies,
  - (b) states the Scottish Ministers' policies on the contribution of—
    - (i) Nature Conservation MPAs (namely areas designated as such by order under section 67(1)(a)), and
    - (ii) sites falling within section 79(4),to the protection and enhancement of the area to which the plan applies,
  - (c) states that it is a national marine plan or (as the case may be) a regional marine plan prepared and adopted for the purposes of this section.
- (4) For the purposes of preparing a national marine plan or (as the case may be) a regional marine plan, the Scottish Ministers must—
  - (a) set—
    - (i) economic, social and marine ecosystem objectives,
    - (ii) objectives relating to the mitigation of, and adaptation to, climate change,

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*Status: This is the original version (as it was originally enacted).*

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- (b) prepare an assessment of the condition of the Scottish marine area or, as the case may be, Scottish marine region at the time of the plan's preparation,
  - (c) prepare a summary of significant pressures and the impact of human activity on the area or region.
- (5) The Scottish Ministers may by order designate any part of the Scottish marine area as a Scottish marine region; and any such order must identify the boundaries of the Scottish marine region.
- (6) A national marine plan or (as the case may be) a regional marine plan may also include statements or information relating to policies contained in the plan.
- (7) If to any extent a policy stated in a national marine plan or a regional marine plan conflicts with any other statement or information in the plan, that conflict must be resolved in favour of the policy.