
SCOTTISH STATUTORY INSTRUMENTS

2011 No. 202

**The Marine (Scotland) Act 2010 (Transitional
and Consequential Provisions) Order 2011**

Dredging

8.—(1) During the relevant transitional period, section 20 of the Act does not apply in respect of the carrying on by a person of a dredging operation—

- (a) which falls within item 7 in section 21(1) of the Act, but
- (b) which meets the conditions in paragraph (2).

(2) The conditions are that the dredging operation—

- (a) does not fall within section 34 of CPA, and
- (b) is not an activity for which a licence is required under Part 2 of FEPA.

(3) The references in paragraph (2) to section 34 of CPA and Part 2 of FEPA are references to those provisions as they would apply but for the Act and article 10 of this Order.

(4) The “relevant transitional period”, in the case of any person and any dredging operation—

- (a) is the period ending on 6th April 2012, but
- (b) if a marine licence which authorises the carrying on of the dredging operation by the person comes into force at any time before that date, the transitional period ends with the coming into force of that licence.