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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order makes transitional and consequential provision in connection with the marine licensing provisions in Part 4 of the Marine (Scotland) Act 2010 (“the Act”).

Articles 3 to 7 make transitional provision in connection with the commencement of the marine licensing regime under the Act on 6th April 2011. Marine licensing will replace the separate consent and licensing procedures applicable under the Coast Protection Act 1949 (“CPA”) and the Food and Environment Protection Act 1985 (“FEPA”). Articles 3 to 7 provide for CPA consents and FEPA licences in force immediately before 6th April to be treated as deemed marine licences as from that date. Similarly, CPA and FEPA applications ongoing as at that date fall to be treated as marine licence applications.

Article 8 provides for certain dredging activity not to require a marine licence for a transitional period after 6th April.

Article 9 makes provision for treating certain approvals under the Telecommunications Act 1984 as marine licences.

Articles 10 to 13 make amendments to and revoke other enactments. In particular, article 10 amends FEPA so that, as from 6th April, a FEPA licence will only be required in respect of certain reserved activities which are outwith the coverage of Part 4 of the Act.