

## **EXECUTIVE NOTE**

### **THE MARINE LICENSING (REGISTER OF LICENSING INFORMATION) (SCOTLAND) REGULATIONS 2011**

**SSI 2011/80**

The above instrument is made by the Scottish Ministers in exercise of the powers conferred by sections 101 and 316(1) of the Marine and Coastal Access Act 2009 (“the 2009 Act”) and sections 54 and 165(1) of the Marine (Scotland) Act 2010 (“the 2010 Act”). This instrument is subject to negative resolution procedure.

#### **Policy objectives**

This instrument forms part of an implementation package in connection with the introduction of marine licensing under the 2009 and 2010 Acts.

The Order implements the requirement of both the 2009 and 2010 Acts for Scottish Ministers to maintain a public register of marine licensing information. The Regulations make provision for the maintenance of the register and the particulars that are to be recorded in it.

The register will include details of applications made, licences granted, information supplied in connection with an application and any variations, revocations or suspensions made. It will also record any enforcement or remediation action taken. The register will be available for inspection by the public free of charge

The register will not include commercially sensitive information where confidentiality is provided by law to protect legitimate commercial interests.

#### **Consultation**

A consultation on proposals for secondary legislation required to implement the new marine licensing regime provided for by the 2010 Act took place between 8 September and 1 December 2010. The consultation received 46 responses. In addition, the consultation document was considered at 4 events which took place during the consultation period.

The consultation did not result in any changes to the draft Regulations as presented in the consultation document. Responses to the consultation were published in the Scottish Government’s Consultation Report which contains a full list of those who responded and is available at the following address – <http://www.scotland.gov.uk/Consultations/Current>

There are no equality impact issues.

Marine Scotland  
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