
SCOTTISH STATUTORY INSTRUMENTS

2012 No. 183

**The Marine Licensing (Fees) (Scotland)
Amendment Regulations 2012**

Citation and commencement

1. These Regulations may be cited as the Marine Licensing (Fees) (Scotland) Amendment Regulations 2012 and come into force on 29th June 2012.

Amendment of the Marine Licensing (Fees) (Scotland) Regulations 2011

2. The Marine Licensing (Fees) (Scotland) Regulations 2011(1) are amended in accordance with regulations 3 to 7.

3. In regulation 2 (determination of fees)—

(a) in paragraph (a) for “3 to 5” substitute “3, 4 and 5 (excluding regulation 5(5))”;

(b) after paragraph (a), insert—

“(aa) in accordance with regulation 3A or 5(5) in the case of an application made before 1st April 2013;”;

(c) in paragraph (b) for “that date” substitute “1st April 2012 or, in the case of applications to which regulations 3A or 5(5) apply 1st April 2013”.

4. In regulation 3 (applications – general), in paragraph (1), after “which regulation”, insert “3A,”.

5. After regulation 3, insert—

“Applications – generating stations

3A.—(1) This regulation applies to an application for a licence in respect of any of the following actions required in relation to a renewable energy structure:—

(a) the deposit of any substance or object either in the sea or on or under the seabed;

(b) the construction, alteration or improvement of any works either in or over the sea or on or under the seabed; or

(c) the removal of any substance or object from the seabed.

(2) Where in the opinion of the Scottish Ministers the activity for which a licence is sought forms part of a larger project, the fee is to be determined by reference to what the Scottish Ministers consider to be the likely cost of carrying out that project.

(3) Where the activity for which a licence is sought does not fall within paragraph (2), the fee is to be determined by reference to what the Scottish Ministers consider to be the likely cost of carrying out that activity.

(4) Where the likely cost of carrying out a project or activity (as the case may be)—

- (a) is no greater than £2,500, the fee is £52;
- (b) is greater than £2,500 but no greater than £5,000, the fee is £155;
- (c) is greater than £5,000 but no greater than £50,000, the fee is £620;
- (d) is greater than £50,000 but no greater than £2 million, the fee is £2,760;
- (e) is greater than £2 million but no greater than £5 million, the fee is £5,525;
- (f) is greater than £5 million but no greater than £20 million, the fee is £16,545;
- (g) is greater than £20 million but no greater than £50 million, the fee is £27,575;
- (h) is greater than £50 million, the fee is £41,360.”

6. In regulation 5 (applications – capital dredging), in paragraph (5), for “£25,000” substitute “£34,475”.

7. In regulation 6 (applications made on or after 1st April 2012)—

- (a) in paragraph (1) for “The” substitute “Subject to paragraph (4), the”; and
- (b) after paragraph (3), insert—

“(4) In respect of applications made before 1st April 2013 and to which regulation 3A or 5(5) applies, paragraphs (1) and (2) apply with the modification that in paragraph (1) “1st April 2012” is to be read as “1st April 2013”.”.

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30th May 2012

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